



AGENDA

Lake Park Town Commission
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, November 19, 2014, 6:30 p.m.
Lake Park Town Hall
535 Park Avenue

James DuBois	—	Mayor
Kimberly Glas-Castro	—	Vice-Mayor
Erin T. Flaherty	—	Commissioner
Michael O'Rourke	—	Commissioner
Kathleen Rapoza	—	Commissioner
.....		
Dale S. Sugerman, Ph.D.	—	Town Manager
Thomas J. Baird, Esq.	—	Town Attorney
Vivian Mendez, CMC	—	Town Clerk

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision of the Town Commission, with respect to any matter considered at this meeting, such interested person will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. *Persons with disabilities requiring accommodations in order to participate in the meeting should contact the Town Clerk's office by calling 881-3311 at least 48 hours in advance to request accommodations.*

A. **CALL TO ORDER/ROLL CALL**

B. **PLEDGE OF ALLEGIANCE**

C. **SPECIAL PRESENTATIONS/REPORTS**

None

D. **PUBLIC COMMENT:**

This time is provided for addressing items that do not appear on the Agenda. Please complete a comment card and provide it to the Town Clerk so speakers may be announced. Please remember comments are limited to a TOTAL of three minutes.

E. **CONSENT AGENDA:** All matters listed under this item are considered routine and action will be taken by one motion. There will be no separate discussion of these items unless a Commissioner or person so requests, in which event the item will be removed from the general order of business and considered in its normal sequence on the Agenda. Any person wishing to speak on an Agenda item is asked

to complete a public comment card located on either side of the Chambers and given to the Town Clerk. Cards must be submitted before the item is discussed.

1. Regular Commission Meeting Minutes of November 5, 2014 Tab 1
 2. Legislative Priorities Workshop Minutes of November 5, 2014 Tab 2
- F. PUBLIC HEARING(S) – QUASI JUDICIAL: (Continued from October 1, 2014 Meeting)
3. Resolution No. 33-10-14 an Application by Aldi Florida LLC, for Special Exception Use and Site Plan Approval for a 17,107 Square Foot General Grocery Store Tab 3
- G. PUBLIC HEARING(S) - ORDINANCE ON FIRST READING:
4. Ordinance No. 15-2014 Amending the Town’s Library Board Meeting Schedule Tab 4
AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AMENDING CHAPTER 2, ARTICLE IV, DIVISION 2 OF THE TOWN CODE ENTITLED “LIBRARY BOARD”; PROVIDING FOR THE AMENDMENT OF SECTION 2-158, PERTAINING TO THE LIBRARY BOARD’S MONTHLY MEETING SCHEDULE; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.
- H. PUBLIC HEARING(S) – ORDINANCE ON SECOND READING:
5. Ordinance No. 14-2014 Updating the Comprehensive Plan and Capital Improvement Schedule Tab 5
AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, UPDATING THE CAPITAL IMPROVEMENTS ELEMENT OF ITS COMPREHENSIVE PLAN; PROVIDING FOR AN UPDATED FIVE YEAR CAPITAL IMPROVEMENTS SCHEDULE; PROVIDING FOR THE UPDATE TO THE TEXT OF THE CAPITAL IMPROVEMENTS SCHEDULE SO AS TO BE CONSISTENT WITH THE NEW SCHEDULE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
- I. NEW BUSINESS:
6. Resolution No. 42-11-14 Fiscal Year 2013/2014 Pre-Audit Budget Adjustments Tab 6
 7. Authorizing the Town Manager to Issue a Purchase Order for Paul Fleming to Serve as Interim Marina Director during the Months of December 2014 and January 2015. Tab 7
 8. Commission Discussion on the Subject of Endorsing a Resolution of Support for the Palm Beach County League of Cities’ Desire to Have Palm Beach County Remain in the Treasure Coast Regional Planning Commission. Tab 8
- J. TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

K. ADJOURNMENT

Next Scheduled Regular Commission Meeting will be held on Wednesday, December 3, 2014

Consent Agenda

TAB 1



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: November 19, 2014

Agenda Item No. 1

Agenda Title: Regular Commission Meeting minutes of November 5, 2014

- SPECIAL PRESENTATION/REPORTS **CONSENT AGENDA**
- BOARD APPOINTMENT OLD BUSINESS
- PUBLIC HEARING ORDINANCE ON _____ READING
- NEW BUSINESS
- OTHER: _____

Approved by Town Manager  **Date:** 11/12/14

Vivian Mendez - Town Clerk
Name/Title

Originating Department: <p style="text-align: center;">Town Clerk</p>	Costs: \$ 0.00 Funding Source: Acct. # <input type="checkbox"/> Finance _____	Attachments: Agenda Workshop minutes Exhibit "A" Exhibit "B" Exhibit "C"
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case <u><i>V.M.</i></u> Please initial one.

Summary Explanation/Background:

Recommended Motion:

To approve the Regular Commission Meeting minutes of November 5, 2014.



AGENDA

Lake Park Town Commission
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, November 5, 2014, 6:30 p.m.
Lake Park Town Hall
535 Park Avenue

James DuBois	—	Mayor
Kimberly Glas-Castro	—	Vice-Mayor
Erin T. Flaherty	—	Commissioner
Michael O'Rourke	—	Commissioner
Kathleen Rapoza	—	Commissioner
.....		
Dale S. Sugerman, Ph.D.	—	Town Manager
Thomas J. Baird, Esq.	—	Town Attorney
Vivian Mendez, CMC	—	Town Clerk

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A. **CALL TO ORDER/ROLL CALL**

B. **PLEDGE OF ALLEGIANCE**

C. **SPECIAL PRESENTATIONS/REPORTS**

None

D. **PUBLIC COMMENT:**

This time is provided for addressing items that **do not** appear on the Agenda. Please complete a comment card and provide it to the Town Clerk so speakers may be announced. Please remember comments are limited to a **TOTAL** of three minutes.

E. **CONSENT AGENDA:** All matters listed under this item are considered routine and action will be taken by **one** motion. There will be no separate discussion of these items unless a Commissioner or person so requests, in which event the item will be removed from the general order of business and **considered in its normal** sequence on the Agenda. **Any person wishing to speak** on an Agenda item is asked

to complete a public comment card located on either side of the Chambers and given to the Town Clerk. Cards must be submitted before the item is discussed.

1. Regular Commission Meeting Minutes of October 15, 2014 Tab 1
2. Award of the Annual Gasoline Fuel Contract Tab 2
3. Award of the Annual Diesel Fuel Contract Tab 3

F. PUBLIC HEARING(S) - ORDINANCE ON FIRST READING:

4. Ordinance No. 14-2014 Request to Update the Capital Improvements Schedule Tab 4
in the Town's Comprehensive Plan Capital Improvements Element.

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, UPDATING THE CAPITAL IMPROVEMENTS ELEMENT OF ITS COMPREHENSIVE PLAN; PROVIDING FOR AN UPDATED FIVE YEAR CAPITAL IMPROVEMENTS SCHEDULE; PROVIDING FOR THE UPDATE TO THE TEXT OF THE CAPITAL IMPROVEMENTS SCHEDULE SO AS TO BE CONSISTENT WITH THE NEW SCHEDULE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

G. PUBLIC HEARING(S) - ORDINANCE ON SECOND READING:

5. Ordinance No. 13-2014 Repealing Chapter 2, Article I, Section 2-4 of the Town Tab 5
Code Entitled Provisions for Processing Public Records Request

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, REPEALING CHAPTER 2, ARTICLE I, SECTION 2-4 OF THE CODE OF ORDINANCES OF THE TOWN OF LAKE PARK ENTITLED "PROVISIONS FOR PROCESSING PUBLIC RECORDS REQUESTS"; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

H. NEW BUSINESS:

6. Resolution No. 41-10-14 Amending the Public Records Policy and Procedures Tab 6
and Revising the Fee Schedule for the Same.

7. Commission Discussion on the subject of Regulating Medical Marijuana Tab 7
Businesses

I. TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

J. ADJOURNMENT

Next Scheduled Regular Commission Meeting will be held on Wednesday, November 19, 2014



Minutes
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, November 5, 2014, 6:30 PM
Town Commission Chamber, 535 Park Avenue

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, November 5, 2014 at 6:30 p.m. Present were Mayor James DuBois, Vice-Mayor Kimberly Glas-Castro, Commissioners Erin Flaherty, Michael O'Rourke and Kathleen Rapoza, Town Manager Dale S. Sugerman, Attorney Thomas Baird, and Town Clerk Vivian Mendez.

Town Clerk Mendez performed the roll call and Mayor DuBois led the pledge of allegiance.

SPECIAL PRESENTATIONS/REPORTS

None

PUBLIC COMMENT:

None

CONSENT AGENDA:

1. Regular Commission Meeting Minutes of October 15, 2014.
2. Award of Annual Gasoline Fuel Contract.
3. Award of Annual Diesel Fuel Contract.

Motion: Commissioner O'Rourke moved to approve the Consent Agenda; Commissioner Rapoza seconded the motion.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty	X		
Commissioner O'Rourke	X		
Commissioner Rapoza	X		
Vice-Mayor Glas-Castro	X		
Mayor DuBois	X		

Motion passed 5-0.

PUBLIC HEARINGS - ORDINANCES ON FIRST READING:

4. Ordinance No. 14-2014 Request to Update the Capital Improvements Schedule in the Town's Comprehensive Plan Capital Improvements Element.

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, UPDATING THE CAPITAL IMPROVEMENTS ELEMENT OF ITS COMPREHENSIVE PLAN; PROVIDING FOR AN UPDATED FIVE YEAR CAPITAL IMPROVEMENTS SCHEDULE; PROVIDING FOR THE UPDATE TO THE TEXT OF THE CAPITAL IMPROVEMENTS SCHEDULE SO AS TO BE

CONSISTENT WITH THE NEW SCHEDULE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Community Development Director Nadia DiTommaso explained the item (see attached Exhibit "A").

Vice-Mayor Glas-Castro asked if a new column identifying fiscal year 2018/2019 was added to the end of the schedule. Town Manager Sugerman explained that fiscal year 2013/2014 was removed from the spreadsheet and fiscal year 2018/2019 was added to the right side of the spreadsheet.

Mayor DuBois went through a list of suggested projects to be included in the Capital Improvement Element (CIE). The first on the list was the coastal link platform development and transit hub for bus rail and parking improvements. The Commission discussed the item and came to consensus to allocate \$500,000 for fiscal year 2017/2018 to this project.

Second on the list were improvements to Bert Bostrom Park. The improvements included ball field improvements, basketball courts rejuvenation, playground equipment, a different type of grass, lighting, and parking.

Town Manager Sugerman explained that the three projects that appear on the agenda request form as Exhibit "A" for fiscal year 2014-2015 are projects that would be completed in this fiscal year. The projects include: tennis court lighting and park restrooms; Town Hall renovations; and the Outfall to C – 17 Canal. He stated that the C – 17 Canal project would cost considerably less, because of negotiations with other parties involved. He explained that if the tennis courts lighting and park restrooms project cost more than the allocated amount, then the Town would be expected to pick up the difference. The Commission discussed the item and came to consensus to allocate \$100,000 for fiscal year 2015/2016.

Commissioner Flaherty suggested including residential street lighting to the CIE list. Town Manager Sugerman explained that several years ago a referendum question was proposed to the residents of the Town and a strong majority of the voters indicated that they did not want to pay for residential street lighting. The Commission discussed the item and came to consensus to allocate \$250,000 each year for the next five years to the CIE.

Commissioner O'Rourke asked if the Town would need to purchase land to complete the Park Avenue Extension project. He stated that his understanding was that the project had been included in the Palm Beach County Five Year Road Improvement Plan. Community Development Director DiTommaso explained that the project never made it onto the Palm Beach County Five Year Plan. Town Manger Sugerman explained that the Town would not need to purchase property to complete the Park Avenue Extension project. He explained that if a private property owner wanted to develop their property they would then need to develop the exterior perimeter of their property as well to include the portion of the Park Avenue Extension roadway that was adjacent to their property. The

Commission discussed this item but did not move forward allocating funds for this project.

Town Manager Sugerman asked the Commission to consider a general obligation bond to fund the Lake Shore Drive Promenade project over the next few years. The Commission discussed this item but did not move forward at this time.

Mayor DuBois recapped that the Commission came to consensus on including the following projects to the CIE: coastal link platform development and transit hub for bus rail and parking improvements; Bert Bostrom Park improvements; and residential street lighting.

Public Comment Open:

None

Public Comment Closed:

Motion: Commissioner O'Rourke moved to approve Ordinance 14-2014 on first reading; Commissioner Rapoza seconded the motion.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty	X		
Commissioner O'Rourke	X		
Commissioner Rapoza	X		
Vice-Mayor Glas-Castro	X		
Mayor DuBois	X		

Motion passed 5-0.

Attorney Baird read the Ordinance into the record by title only.

PUBLIC HEARINGS - ORDINANCE ON SECOND READING:

5. Ordinance No. 13-2014 Repealing Chapter 2, Article I, Section 2-4 of the Town Code Entitled Provisions for Processing Public Records Request.

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, REPEALING CHAPTER 2, ARTICLE I, SECTION 2-4 OF THE CODE OF ORDINANCES OF THE TOWN OF LAKE PARK ENTITLED "PROVISIONS FOR PROCESSING PUBLIC RECORDS REQUESTS"; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Vivian Mendez explained the item (see attached Exhibit "B").

Public Comment:

None

Public Comment Closed:

Motion: Commissioner Rapoza moved to approve Ordinance 13-2014 on second reading; Commissioner O'Rourke seconded the motion.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty	X		
Commissioner O'Rourke	X		
Commissioner Rapoza	X		
Vice-Mayor Glas-Castro	X		
Mayor DuBois	X		

Motion passed 5-0.

Attorney Baird read the Ordinance into the record by title only.

NEW BUSINESS:

6. Resolution No. 41-11-14 Amending the Public Records Policy and Procedures and Revising the Fee Schedule for the Same.

Town Clerk Mendez explained the item (see attached Exhibit "C").

Commissioner O'Rourke questioned the \$.15 per color copy fee outlined in the schedule.

Town Clerk Mendez explained that Florida State Statute (F.S.) 119 prescribes the actual cost of reproduction which can be charged in fulfilling a public record. The Town's color copy charge was less than the \$.15 allowed by F.S. 119.

Vice-Mayor Glas-Castro pointed out that the resolution number was inconsistent on the agenda request form with the recommended motion. Town Clerk Mendez explained that the middle sequence of numbers on a resolution identifies the month a resolution was approved and the last two numbers identify the year a resolution was approved. Therefore, the correct number for this resolution would be 41-11-14.

Motion: Commissioner O'Rourke moved to approve Resolution 41-11-14; Commissioner Rapoza seconded the motion.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty	X		
Commissioner O'Rourke	X		
Commissioner Rapoza	X		
Vice-Mayor Glas-Castro	X		
Mayor DuBois	X		

Motion passed 5-0.

7. Commission Discussion on the subject of Regulating Medical Marijuana Businesses

Vice-Mayor Glas-Castro explained that this was a topic discussed at the last Palm Beach County League of Cities meeting. Although the Constitutional Amendment was defeated

at the November 4, 2014 election, there is still legislation on the books regarding medical marijuana, which takes effect in January 2015. She suggested that the Commission consider adopting basic zoning regulations to regulate where dispensaries and cultivation can occur within the Town.

The Commission discussed the item, came to consensus, and directed staff to develop draft zoning regulations changes to the Commercial 4 (C-4) and the Campus Light Industrial Commercial (CLIC) zoning districts. Nadia DiTommaso reminded the Commission that the Planning and Zoning Board would need to review the proposed zoning regulations before the language comes before the Commission.

TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

Town Attorney Baird had no comments.

Town Manager Sugerman explained that several months ago the Commission provided direction regarding negotiations between the Town and the lease agreement with Crown Castle for the extension of their existing cell tower lease. He stated that Crown Castle has responded to those negotiations offering to match the same terms and conditions as the T-Mobile cell tower lease at the Marina, which includes 50 percent revenue sharing of all co-locators. Consensus was given to continue negotiation with Crown Castle.

Commissioner O'Rourke had no comments.

Commissioner Rapoza congratulated Mr. and Mrs. Nelson of 237 Bayberry Drive on being chosen as the November Property of the Month. She congratulated Finance Director Blake Rane and the entire Finance Department for their Achievement of Excellence designation.

Commissioner Flaherty had no comments.

Vice-Mayor Glas-Castro congratulated Senator Bobby Powell on his re-election. She announced that the Chili Cook-off would be held on November 15, 2014 at Kelsey Park.

Mayor DuBois asked if there were a way to separate large events from being permitted within one month of each other. After some discussion, Town Manager Sugerman committed to providing the Commission with a statistical analysis report of all of the special events permits issued within the past 24 months.

Mayor DuBois congratulated staff on the success of Fall Fest at Sunset at Lake Shore Park. He explained that he attended the grand opening of Club 100 Charities with Commissioner Rapoza, Library Director Karen Mahnk, and Recreation Manager Kathleen Carroll. He reminded everyone that the next Sister Cities meeting would take place on November 6, 2014 in West Palm Beach. He stated that the Veteran's Day ceremony would not be taking place this year in Kelsey Park. He stated that he attended the All Aboard Florida meeting.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Commissioner O'Rourke and seconded by Commissioner Flaherty, and by unanimous vote, the meeting adjourned at 8:07 p.m.

Mayor James DuBois

Town Clerk, Vivian Mendez, CMC

Town Seal

Approved on this _____ of _____, 2014



Town of Lake Park Town Commission

Agenda Request Form

Exhibit "A"

Meeting Date: November 5, 2014

Agenda Item No. 4

Agenda Title: REQUEST TO UPDATE THE CAPITAL IMPROVEMENTS SCHEDULE IN THE TOWN'S COMPREHENSIVE PLAN CAPITAL IMPROVEMENTS ELEMENT.

- SPECIAL PRESENTATION/REPORTS
- BOARD APPOINTMENT
- PUBLIC HEARING ORDINANCE ON 1st READING**
- NEW BUSINESS
- OTHER
- CONSENT AGENDA
- OLD BUSINESS

Approved by Town Manager *[Signature]* **Date:** 10/23/14

Nadia Di Tommaso / Community Development Director
Name/Title *[Signature]*

Originating Department: Community Development	Costs: \$ 0 Funding Source: Acct: # <input type="checkbox"/> Finance	Attachments: → Ordinance 14-2014 → Copy of previously approved schedule via Ordinance 17-2013
Advertised: <i>N/A 1st reading</i> Date: Paper: <input type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone OR Not applicable in this case <i>ND</i> Please initial one.

Summary Explanation/Background:

Beginning in 2005, local governments were required to update their five-year Capital Improvements Schedule (CIS) as an annual amendment to the Comprehensive Plan to demonstrate a financially feasible schedule. Per House Bill (HB) 7207, the "Community Planning Act", adopted on June 2, 2011, the five-year schedule of capital improvements is no longer required to demonstrate that the CIS is financially feasible; however, local governments must still review and update their CIS by the adoption of an ordinance. This ordinance is no longer subject to the review of the Department of Economic Opportunity (formerly the Department of Community Affairs). Such modifications to update the five-year CIS are not deemed amendments to the local Comprehensive Plan and therefore, do not need to adhere to the comprehensive plan amendment process. Due to the fact that such an

TOWN OF LAKE PARK FIVE YEAR CAPITAL IMPROVEMENT SCHEDULE¹
2014/15 – 2018/19

Project Category	Project Name	14/15	15/16	16/17	17/18	18/19	Funding Source
4	Shuttering and hardening of all Town buildings	\$0	\$125,000	\$100,000	\$0	\$0	Grant
4	Tennis courts and lighting and Park restrooms	\$416,000	\$0	\$0	\$0		Grant (\$403,590 -FY 14/15), General Fund (\$12,410-FY 14/15)
2, 4	Lake Shore Drive Drainage Improvements	\$0	\$800,000	\$800,000	\$800,000	\$800,000	Stormwater Utility Assessment (\$75,000 each FY), Grant
4	Lake Shore Drive Promenade	\$0	\$150,000				Grant
4	New marina parking lot	\$0	\$500,000	\$500,000	\$500,000	\$500,000	Grant
2, 4	10 th Street south of Park Avenue – drainage, lighting, paving, trees	\$0	\$500,000	\$500,000	\$500,000	\$500,000	Grant, Stormwater Utility Assessment (50/50 split each FY)
2,4	Park Avenue Improvements from 7 th Street to 10 th Street through and including the FED Railroad Intersection	\$0	\$300,000/ \$25,000 for FEC	\$300,000/ \$25,000 for FEC	\$300,000/ \$25,000 for FEC	\$300,000/ \$25,000 for FEC	Grant (\$250,000 each FY), CRA Funding (\$75,000 each FY)
4	Town Hall Renovations (Floor Mirror Ballroom, Exterior Painting, Ceiling Clerk's Office, Awnings Exterior Doors, Stage Refinishing, carpeting, Window/Door repairs)	\$18,250	\$75,000	\$75,000	\$75,000	\$75,000	Grant, General Fund (\$18,250 for FY 14/15 only) (50/50 split all other FY's)

¹ Note: The Town's ability to implement certain projects in accordance with this schedule is contingent upon the receipt of grant funds as identified in the "Funding Source" column.

2	Vehicle Replacement Plan	\$0	\$119,000	\$259,000	\$259,000	\$119,000	General Fund
2	Sanitary Sewers in Tri-City Industrial Park; Lake Park Public Works; and Water Tower Road/Old Dixie Highway commercial property	\$0	\$300,000	\$300,000	\$300,000	\$300,000	Special Assessment
2	Outfall to C-17 Canal	\$100,000	\$0	\$0	\$0	\$0	Stormwater Fund
	Total	\$534,250	\$2,894,000	\$2,859,000	\$2,759,000	\$2,619,000	

Project Category Codes

- 1 – Project necessary to achieve Level of Service
- 2 – Project will enhance ability to continue to meet Level of Service
- 3 – Project will enhance ability to meet Level of Service for Optional Element
- 4 – Project will further the achievement of Comprehensive Plan goals, objectives and policies.

TOWN OF LAKE PARK ESTIMATED FUNDING SOURCES FOR CAPITAL IMPROVEMENTS 2014/15-2018/19

Funding Source	14/15	15/16	16/17	17/18	18/19
General Fund	\$30,660	\$156,500	\$296,500	\$296,500	\$156,500
Stormwater Utility Assessment	\$0	\$325,000	\$325,000	\$325,000	\$325,000
Grants	\$403,590	\$2,037,500	\$1,862,500	\$1,762,500	\$1,762,500
Special Assessment	\$0	\$300,000	\$300,000	\$300,000	\$300,000
CRA Funding	\$0	\$75,000	\$75,000	\$75,000	\$75,000
Stormwater Fund	\$100,000	\$0	\$0	\$0	\$0
Total	\$534,250	\$2,894,000	\$2,859,000	\$2,759,000	\$2,619,000

Recommended Motion: I move to APPROVE Ordinance No. 14-2014 on first reading.

for reference only
from
(ORD 17-2013)

EXHIBIT "A"
2013/14 UPDATE TO THE TOWN OF LAKE PARK
COMPREHENSIVE PLAN CAPITAL IMPROVEMENTS ELEMENT AND
FIVE YEAR CAPITAL IMPROVEMENT SCHEDULE

1. Amend Policy 1.11 as follows:

Policy 1.11 The following Capital Improvements Schedule, as it is annually updated in accordance with State growth management requirements, includes all projects scheduled to meet or improve the adopted Level of Service Standards during the five-year planning period, and other projects that further implementation of this Comprehensive Plan and its goals, objectives and policies.

TOWN OF LAKE PARK FIVE YEAR CAPITAL IMPROVEMENT SCHEDULE¹
20143– 20168

Project Category	Project Name	11/12	12/13	13/14	14/15	15/16	16/17	17/18	Funding Source
4	Shuttering and hardening of all Town buildings	\$225,000	0	0	0 <u>\$125,000</u>	0 <u>\$100,000</u>	0	0	Grant
4	Tennis courts and ballfields resurfacing and lighting	\$100,000	0	0	0 <u>\$50,000</u>	0 <u>\$100,000</u>	0	0	Grant
2, 4	Lake Shore Drive Drainage Improvements	0	\$1,000,000 0	\$1,000,000	\$1,000,000 0 <u>\$800,000</u>	\$1,000,000 <u>\$800,000</u>	<u>\$800,000</u>	<u>\$800,000</u>	Stormwater Utility Assessment, Grant
4	Lake Shore Drive Promenade	0	0	\$1,000,000	\$1,000,000 0 <u>150,000</u>	0			Grant
4	New marina parking lot	\$338,000	0	0	0 <u>\$500,000</u>	0 <u>\$500,000</u>	<u>\$500,000</u>	<u>\$500,000</u>	Grant
2, 4	10 th Street south of Park Avenue – drainage, lighting, paving, trees	0	\$500,000	\$500,000	\$500,000	\$500,000	<u>\$500,000</u>	<u>\$500,000</u>	Grant, Stormwater Utility Assessment,
2, 4	Ball field-Expansion/Renovation	0	\$750,000	\$750,000	\$750,000	\$750,000			Grant
4	Community-center/shelter	0	\$1,000,000 0	\$1,000,000	\$1,000,000 0	\$1,000,000			Grant
4	Art in Public Places	\$75,000	\$75,000	\$75,000	\$75,000	0			Grant
4	Artist live/work space	0	\$2,000,000 0	\$2,000,000	\$2,000,000 0	0			Grant

¹ Note: The Town's ability to implement the projects in accordance with this schedule is contingent upon the receipt of grant funds as identified in the "Funding Source" column.

4	Marina breakwater, bulkhead, transient slips, move fuel docks, moorings	0	\$400,000	\$400,000 <u>\$480,000</u>	\$200,000 <u>\$500,000</u>	0	<u>0</u>	<u>0</u>	Grant
2,4	Park Avenue Improvements from US-4 to 7 th Street through and including the FEC Railroad Intersection	0	\$875,000	\$875,000 \$25,000	\$875,000 <u>\$325,000</u> <u>(\$25,000 for FEC)</u>	\$875,000 <u>\$325,000</u> <u>(\$25,000 for FEC)</u>	<u>\$325,000</u> <u>(\$25,000 for FEC)</u>	<u>\$325,000</u> <u>(\$25,000 for FEC)</u>	Grant, CRA Funding
4	Town Hall Renovations (Floor Mirror Ballroom, Exterior Painting, Ceiling Clerk's Office, Awnings Exterior Doors, Stage Replacement Refinishing, Window/Door repairs)	0	\$75,000	\$75,000	\$75,000	\$75,000	<u>\$75,000</u>	<u>\$75,000</u>	Grant
2	Vehicle Replacement Plan	0	\$144,000	\$252,000	\$753,000 <u>\$144,000</u>	\$93,000 <u>\$252,000</u>	<u>\$753,000</u>	<u>\$93,000</u>	General Fund, Stormwater Utility Assessment, Sanitation Fund
2	Sanitary Sewers in Tri-City Industrial Park; Lake Park Public Works; and Water Tower Road/Old Dixie Highway commercial property				<u>\$300,000</u>	<u>\$300,000</u>	<u>\$300,000</u>	<u>\$300,000</u>	<u>Special Assessment</u>
	Total	\$738,000	\$6,810,000	\$7,927,505.00 0	\$8,228 <u>3,469,000</u>	\$4,293 <u>2,952,000</u>	<u>\$3,253.00</u> 0	<u>\$2,593.00</u> 0	

Project Category Codes

1 – Project necessary to achieve Level of Service

2 – Project will enhance ability to continue to meet Level of Service

3 – Project will enhance ability to meet Level of Service for Optional Element

4 – Project will further the achievement of Comprehensive Plan goals, objectives and policies.

TOWN OF LAKE PARK ESTIMATED FUNDING SOURCES FOR CAPITAL IMPROVEMENTS 20143-20168

Funding Source	11/12	12/13	13/14	14/15	15/16	16/17	17/18
General Fund	\$0	\$48,000	\$84,000	\$251,000 \$48,000	\$31,000 \$84,000	\$251,000	\$31,000
Stormwater Utility Assessment	\$0	\$405,000	\$441,000	\$608,000 \$373,000	\$388,000 \$409,000	\$576,000	\$356,000
Grants	\$738,000	\$6,318,000	\$7,318,000 \$505,000	\$7,118,000 \$2,625,000	\$3,843,000 \$2,000,000	\$1,800,000	\$1,800,000
Sanitation Fund	\$0	\$48,000	\$84,000	\$251,000 \$48,000	\$31,000 \$84,000	\$251,000	\$31,000
Special Assessment			0	\$300,000	\$300,000	\$300,000	\$300,000
CRA Funding			0	\$75,000	\$75,000	\$75,000	\$75,000
Total	\$738,000	\$6,819,000	\$7,827,505,000	\$8,228,3,469,000	\$4,293,2,952,000	\$3,253,000	\$2,593,000



Town of Lake Park Town Commission

Agenda Request Form

Exhibit "B"

Meeting Date: November 5, 2014

Agenda Item No. *5*

Agenda Title: Repealing Chapter 2, Article I, Section 2-4 of the Town Code Entitled Provisions for Processing Public Records Request

- SPECIAL PRESENTATION/REPORTS
- BOARD APPOINTMENT
- PUBLIC HEARING ORDINANCE ON SECOND READING
- NEW BUSINESS
- OTHER: _____

- CONSENT AGENDA
- OLD BUSINESS

Approved by Town Manager *DSS* Date: *10/20/14*

Vivian Mendez - Town Clerk

Name/Title

<p>Originating Department: Town Clerk</p>	<p>Costs: \$ 165.12 Funding Source: Town Clerk Acct. # 106-48100 <input checked="" type="checkbox"/> Finance <i>BKR</i></p>	<p>Attachments: Ordinance Legal advertisement</p>
<p>Advertised: Date: <u>October 26, 2014</u> Paper: <u>Palm Beach Post</u> <input type="checkbox"/> Not Required</p>	<p>All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.</p>	<p>Yes I have notified everyone _____ or Not applicable in this case <i>VM</i> Please initial one.</p>

Summary Explanation/Background: Florida State Statute number 119, better known as the "Public Records Act" states that any member of the public has a right of access. Right of access means that anyone has the right to request to inspect or receive a copy of a public record.

The Public Records Act's legislation has changed several time causing the Town Code to become outdated. One of the significant changes made to the law was that it no longer identifies one person in a municipality as the custodian of records. What this means is that anyone who generates or has access to public records are the custodian of those records. At one time the Town Clerk was identified as the custodian of the Town records, which is no longer the case.

Staff has begun training all its employees on how to handle and process public records.

In an effort to remain current with the law, staff has reviewed the Town Code and is recommending repealing the current language in the Code regarding public records.

At the October 15, 2014, the Town Commission voted unanimously to adopt Ordinance 13-2014 on first reading.

Recommended Motion: I move to adopt Ordinance 13-2014 on second reading.

ORDINANCE NO. 13-2014

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, REPEALING CHAPTER 2, ARTICLE I, SECTION 2-4 OF THE CODE OF ORDINANCES OF THE TOWN OF LAKE PARK ENTITLED “PROVISIONS FOR PROCESSING PUBLIC RECORDS REQUESTS”; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Lake Park, Florida is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, both Article 1, Section 24(a) of the Florida Constitution, and Chapter 119, F.S., the “Public Records Act” (“Act”), provide a public right of access to any public record which is made or received in connection with communicating the official business of any public agency as defined therein; and

WHEREAS, the Town Manager and Town Clerk have recommended that the Town Commission repeal Section 2-4 of the Town Code pertaining to the processing of public records requests; and

WHEREAS, the Town Commission has reviewed the recommendations of the Town Manager and Town Clerk, and has determined that repealing Section 2-4, of Chapter 2, Article I, should be replaced with a resolution pertaining to the Town staff’s processing of public records requests pursuant to the requirements of the Act.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA:

Section 1. The whereas clauses are incorporated herein.

Section 2. Chapter 2, Article I, Section 2-4 of the Code of Ordinances of the Town of Lake Park, Florida is hereby repealed in its entirety.

Section 3. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 4. Repeal of Laws in Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. Codification. The sections of the Ordinance may be made a part of the Town Code of Laws and Ordinances and may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

Section 6. Effective Date. This Ordinance shall take effect immediately upon adoption.

RECEIPT

**LEGAL NOTICE OF
PROPOSED ORDINANCE
TOWN OF LAKE PARK**

Please take notice that on Wednesday, November 5, 2014 at 6:30 p.m. or soon thereafter the Town Commission, of the Town of Lake Park, Florida in a regular session to be held in the Commission Chambers, Town Hall, 535 Park Avenue, Lake Park, Florida will consider the following Ordinance on second reading and proposed adoption thereof:

ORDINANCE NO. 13-2014

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, REPEALING CHAPTER 2, ARTICLE 1, SECTION 2-4 OF THE CODE OF ORDINANCES OF THE TOWN OF LAKE PARK ENTITLED "PROVISIONS FOR PROCESSING PUBLIC RECORDS REQUESTS"; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

If a person decides to appeal any decision made by the Town Commission with respect to any hearing, they will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. For additional information, please contact Vivian Mendez, Town Clerk at 561-881-3311.

Vivian Mendez, CMC, Town Clerk
Town of Lake Park, Florida

PUB: The Palm Beach Post
10-26/2014 #315338

RECEIPT

Account: G3573
Name: TOWN OF LAKE PARK
Address: 535 PARK AVE
LAKE PARK FL 33403-2603

Phone: 561-881-3300
E-mail: VMENDEZ@LAKEPARKFLORIDA.GOV

Order Name: ORDINANCE 13-2014
Order Id: 315338
Original Order Id:
Copy Line: LEGAL NOTICE OF PROPOSED ORDINANCETOWN O
Sales Rep: PB108 Nadia Vagedes (P)
Purchase Order:
Pay Type: Billed
Account Group:
Caller: VIVIAN MENDEZ

Section: 6205 Legal Notices
Reply Request:
Tear Sheets: 0

Order Summary	
Base:	\$165.12
Other Charges:	\$0.00
Discounts:	\$0.00
Agency Commission:	\$0.00
Sales Tax:	\$0.00
Total Order	\$165.12

Payment Summary
No payment information available.



Town of Lake Park Town Commission

Agenda Request Form

Exhibit "C"

Meeting Date: November 5, 2014

Agenda Item No. *6*

Agenda Title: Resolution Amending the Public Records Policy and Procedures and Revising the Fee Schedule for the Same.

- SPECIAL PRESENTATION/REPORTS
 - BOARD APPOINTMENT
 - PUBLIC HEARING ORDINANCE ON FIRST READING
 - NEW BUSINESS – Resolution
 - OTHER: _____
- CONSENT AGENDA
 - OLD BUSINESS

Approved by Town Manager *[Signature]* Date: *10/23/14*

Vivian Mendez – Town Clerk
Name/Title

Originating Department: <p style="text-align: center;">Town Clerk</p>	Costs: \$ 0.00 Funding Source: Acct. # <input type="checkbox"/> Finance _____	Attachments: <p style="text-align: center;">Resolution</p>
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case <i>V.M.</i> Please initial one.

Summary Explanation/Background:

In an earlier agenda item, the Town Commission took an action to repeal the Town’s existing Code on fulfilling public records requests, because that provision of the Town Code was in conflict with current state law. The Public Records Act (Florida State Statute 119) establishes a right of access to public records. The attached Resolution will establish procedures to ensure that the public’s right of access is fulfilled under reasonable conditions, in a reasonable amount of time, and under supervision by the custodian of the record being requested.

The proposed Resolution ensures that the Town complies with the Public Records Act of the State of Florida. In addition, the procedures outlined in the attached Resolution provide a guide to staff for the easiest and quickest way to fulfill a public records request in compliance with the law.

Based upon State law dealing with the cost of fulfilling a public records request, staff is recommending that the schedule of fees for processing public records be adopted as outlined herein.

Finally, since the Commission is being asked to modify this fee schedule, we also are asking that the fees for lien searches be adjusted to reflect the current cost of providing this service.

Recommended Motion: I move to approve Resolution ~~41-10~~-14.
-11-14

TAB 2



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: November 19, 2014

Agenda Item No. 2

Agenda Title: Legislative Priorities workshop minutes of November 5, 2014

- SPECIAL PRESENTATION/REPORTS **CONSENT AGENDA**
- BOARD APPOINTMENT OLD BUSINESS
- PUBLIC HEARING ORDINANCE ON _____ READING
- NEW BUSINESS
- OTHER: _____

Approved by Town Manager  Date: 11/12/14

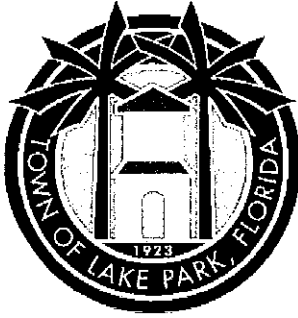
Vivian Mendez - Town Clerk
Name/Title

Originating Department: <p style="text-align: center;">Town Clerk</p>	Costs: \$ 0.00 Funding Source: Acct. # <input type="checkbox"/> Finance _____	Attachments: Agenda Workshop minutes Exhibit "A" Exhibit "B"
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case <u>VM</u> Please initial one.

Summary Explanation/Background:

Recommended Motion:

To approve the Legislative Priorities Workshop minutes of November 5, 2014.



AGENDA

Lake Park Town Commission
Town of Lake Park, Florida
Legislative Priorities Workshop
Wednesday, November 5, 2014,
Immediately Following the
Regular Commission Meeting,
Lake Park Town Hall
535 Park Avenue

James DuBois	—	Mayor
Kimberly Glas-Castro	—	Vice-Mayor
Erin T. Flaherty	—	Commissioner
Michael O'Rourke	—	Commissioner
Kathleen Rapoza	—	Commissioner
.....		
Dale S. Sugerman, Ph.D.	—	Town Manager
Thomas J. Baird, Esq.	—	Town Attorney
Vivian Mendez, CMC	—	Town Clerk

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision of the Town Commission, with respect to any matter considered at this meeting, such interested person will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. *Persons with disabilities requiring accommodations in order to participate in the meeting should contact the Town Clerk's office by calling 881-3311 at least 48 hours in advance to request accommodations.*

A. **CALL TO ORDER/ROLL CALL**

B. **PLEDGE OF ALLEGIANCE**

C. **SPECIAL PRESENTATIONS/REPORTS**

1. Discussion of Town Priorities for the 2014/2015 Legislative Session **Tab 1**

D. **PUBLIC COMMENT:**

This time is provided for addressing items that do not appear on the Agenda. Please complete a comment card and provide it to the Town Clerk so speakers may be announced. Please remember comments are limited to a TOTAL of three minutes.

E. **TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:**

F. **ADJOURNMENT**



Minutes
Town of Lake Park, Florida
Legislative Priorities Workshop
Wednesday, November 5, 2014, 8:08 PM
Town Commission Chamber, 535 Park Avenue

The Town Commission met for the purpose of a Legislative Priorities Workshop on Wednesday, November 5, 2014 at 8:08 p.m. Present were Mayor James DuBois, Vice-Mayor Kimberly Glas-Castro, Commissioners Erin Flaherty, Michael O'Rourke and Kathleen Rapoza, Town Manager Dale S. Sugerman, Attorney Thomas Baird, and Town Clerk Vivian Mendez.

SPECIAL PRESENTATIONS/REPORTS

1. Discussion of Town Priorities for the 2014/2015 Legislative Session

Town Manager Sugerman thanked Senator Jeff Clemens for attending and participating in this workshop session with the Commission.

Mayor DuBois reviewed a variety of potential legislative priorities (see Exhibit "A").

Senator Clemens thanked the Commission for inviting him to the workshop. He took personal responsibility for the Sober House legislation being defeated during the last legislative session. He felt confident that the next legislative session would be successful because he would be working with Senate President Andy Gardner on the Sober House issue. He stated that his legislative priorities would be Sober Homes; On-line Voter Registration; and Benefit Corporation, to name a few. He stated on the subject of funding, he was working with the Lake Worth Park of Commerce on infrastructure and the Town of Palm Springs was looking for funding for their parks.

Town Manager Sugerman shared an article regarding the City of Sarasota's top legislative priorities (see Exhibit "B").

The Commission had a long discussion on a variety of legislative issues that affect Lake Park. The Commission came to consensus on the following proposed legislative priorities:

- a. Sober homes.
- b. Enabling legislation for authorizing MSTUs for police services.
- c. Economic development:
 - i. Funding for replacement of private property septic systems with sanitary sewer lines in all portions of the Town.
 - ii. Funding of a stormwater drainage project on Lake Shore Drive.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Commissioner O'Rourke and seconded by Commissioner Flaherty, and by unanimous vote, the meeting adjourned at 9:30 p.m.

Mayor James DuBois

Town Clerk, Vivian Mendez, CMC

Town Seal

Approved on this _____ of _____, 2014



**Town of Lake Park Town Commission
Legislative Priorities Workshop**

Agenda Request Form

Exhibit "A"

Meeting Date: November 5, 2014

Agenda Item No. 1

Agenda Title: Commission Discussion on Setting the Town's Priorities for the 2015 Legislative Session in Tallahassee.

- SPECIAL PRESENTATION/REPORTS
- BOARD APPOINTMENT
- PUBLIC HEARING ORDINANCE ON _____ READING
- NEW BUSINESS**
- OTHER: _____

- CONSENT AGENDA
- OLD BUSINESS

Approved by Town Manager _____ *[Signature]* **Date:** 10/22/14

Dale S. Sugerman, Ph.D./Town Manager
Name/Title

Originating Department: <p align="center">Town Manager</p>	Costs: None Funding Source: Acct. <input type="checkbox"/> Finance _____	Attachments: A variety of materials on potential legislative priorities.
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case <u>DSS</u> Please initial one.

Summary Explanation/Background:

This is the agenda item for the legislative priorities workshop which will follow the regular Town Commission meeting. Attached to this agenda request form are the background materials previously submitted by various members of the Town Commission, along with resource material from the Treasure Coast Regional Planning Commission and the Florida League of Cities.

Recommended Motion: No motion is necessary as this is a workshop meeting for purposes of discussion only.

TREASURE COAST REGIONAL PLANNING COUNCIL

MEMORANDUM

To: Council Members

AGENDA ITEM 13

From: Staff

Date: October 17, 2014 Council Meeting

Subject: Legislative Priorities 2015

Background

At its last meeting in September, Council received a preliminary list of suggested Treasure Coast legislative priorities for 2015. The Gubernatorial Committee has been meeting since May to create and refine the list, and has made a special effort to focus on specific priorities that apply to the region as a whole. In addition, the idea was suggested for Council to host a four-county legislative delegation meeting for the Treasure Coast Region sometime before the start of the 2015 legislative session.

Council's regional legislative priority list for 2015 primarily deals with the key regional issues of transportation and infrastructure funding, economic development, environmental restoration, and energy and climate resiliency. In addition, Council has been invited to be a host organization for the Joint Professional Societies Annual Legislative Breakfast for the Treasure Coast Region. This annual event is well-attended and is focused on legislators from the four-county Treasure Coast Region. Council staff would like permission to work with the region's legislative delegation and others to help organize and host the Legislative Breakfast meeting for the region, which will be scheduled sometime in January 2015.

It is Council's mission to provide visionary leadership and advocacy on behalf of local government to preserve the quality of the region's economic, natural, built, and social environment. It is Council's responsibility to: 1) provide an efficient mechanism for addressing problems that can only be addressed by collaborative effort and cooperation between local governments; and 2) help assure that state goals and objectives (the top down part of planning) are achieved in a manner that is appropriate given local and regional needs and conditions (the bottom up part of planning). Council's mission and its ability to carry out its "bottom-up" planning and advocacy responsibilities are furthered by the development of a legislative priorities list for the region. This mission would also be furthered by having our 19 legislative delegates representing the Treasure Coast meet as a region.

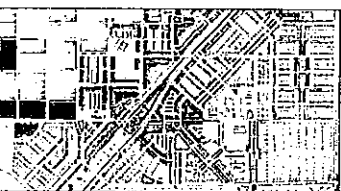
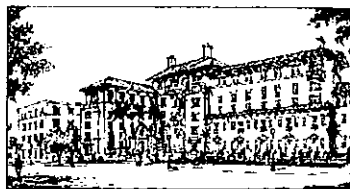
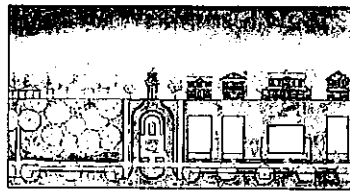
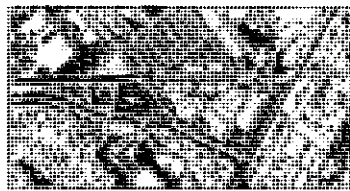
Recommendation

Council should: 1) approve its legislative priorities for distribution and sharing with all interested and involved parties in the region and authorize the Gubernatorial Committee to work over the next couple months to further finalize a legislative priorities document for Council; and 2) authorize staff to be an organizer and host for the Joint Professionals Societies Annual Treasure Coast Legislative Breakfast meeting for the region.

Attachments

LEGISLATIVE PRIORITIES

2015



Treasure Coast Regional Planning Council

Palm Beach

Martin

St. Lucie

Indian River

Treasure Coast Regional Planning Council Gubernatorial Committee Members



Susan Adams
Mayor
City of Fellsmere
(772) 571-0116
susanadams@cityoffellsmere.org



Paula Lewis
Commissioner
St. Lucie County
(772) 462-1406
lewisp@stlucieco.org



Michael Houston
Gubernatorial Appointee
Martin County
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Ed Fielding
Commissioner
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Bruce A. Guyton
Councilman
City of Riviera Beach
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Bguyton@rivierabch.com



Kelly Smallridge
Gubernatorial Appointee
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ksmallridge@bdb.org



Douglas Bournique
Gubernatorial Appointee
Indian River County
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Reece Parrish
Gubernatorial Appointee
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Reece.parrish@bellsouth.net



Tobin Overdorf
Gubernatorial Appointee
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Michael Davis
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mdavis@keithandschnars.com



Peter Sachs
Gubernatorial Appointee
Palm Beach County
(561) 994-4499
psachs@ssclawfirm.com









Steven M. Weaver, Sr.
Gubernatorial Appointee
St. Lucie County
(772) 344-7100
realtimefla@aol.com





Florida House and Senate Treasure Coast Delegation









The Florida House of Representatives (Treasure Coast Delegates)

Representative	District	Party	Counties
<u>Berman, Lori</u> 	90	Democrat	Part of Palm Beach County
<u>Hager, Bill</u> 	89	Republican	Part of Palm Beach County
<u>Harrell, Gayle</u> 	83	Republican	Parts of Martin, St. Lucie counties
<u>Kerner, Dave</u> 	87	Democrat	Part of Palm Beach County
<u>Lee, Jr. Larry</u> 	84	Democrat	Part of St. Lucie County
<u>Magar, Marylynn</u> 	82	Republican	Parts of Martin, Palm Beach counties

Representative	District	Party	Counties
<u>Mayfield, Debbie</u> 	54	Republican	Indian River County and part of St. Lucie County
<u>Pafford, Mark</u> 	86	Democrat	Part of Palm Beach County
<u>Pigman, Cary</u> 	55	Republican	Part of St. Lucie County
<u>Powell, Bobby</u> 	88	Democrat	Part of Palm Beach County
<u>Rader, Kevin</u> 	81	Democrat	Part of Palm Beach County
<u>Rooney, Jr. Patrick</u> 	85	Republican	Part Palm Beach County
<u>Slosberg, Irving</u> 	91	Democrat	Part of Palm Beach County

**The Florida Senate
(Treasure Coast Delegates)**

Senator	District	Party	Counties
<u>Abruzzo, Joseph</u> 	25	Democrat	Part of Palm Beach County
<u>Altman, Thad</u> 	16	Republican	Part of Indian River County
<u>Clemens, Jeff</u> 	27	Democrat	Part of Palm Beach County
<u>Grimsley, Denise</u> 	21	Republican	Okeechobee County and parts of Highlands, Martin, Osceola, Polk, St. Lucie counties
<u>Negron, Joe</u> 	32	Republican	Parts of Indian River, Martin, Palm Beach, St. Lucie counties
<u>Sachs, Maria Lorts</u> 	34	Democrat	Parts of Broward, Palm Beach counties

2015 Treasure Coast Regional Planning Council Legislative Priorities

DEVELOPMENTS OF REGIONAL IMPACT (DRIs)

Background: Since 1972, the DRI process has been a valuable planning tool statewide in improving the outcome of large development projects and in identifying and minimizing negative impacts on the approving local government, and those local governments outside the approving jurisdiction. Over the years the process has been streamlined and reformed.

SUPPORT continued improvement of the DRI process which: 1) ensures at least the current level of identification and mitigation of greater-than-local impacts; 2) protects the current standing of local governments to have multijurisdictional impacts properly addressed; and 3) strengthens the intergovernmental review process for DRI-scale local comprehensive plan amendments found in Chapter 163, Florida Statutes.

FLORIDA ENTERPRISE ZONE PROGRAM

Background: The authority for the state enterprise zone incentive program, originally established in 1982, expires December 31, 2015. The program offers an assortment of tax incentives to business locating in areas targeted by local government for economic revitalization. Tax incentives include a sales and use tax credit, tax refund for business machinery and equipment used in an enterprise zone, sales tax refund for building materials used in an enterprise zone, and a sales tax exemption for electrical energy used in an enterprise zone. Local governments can provide additional incentives for a zone located within their boundaries. The Treasure Coast Region has five designated enterprise zones. There are 65 enterprise zones statewide.

SUPPORT legislation that reauthorizes existing statewide enterprise incentive zone programs and ensures the existence of state incentive programs targeting job creation, job expansion, investment and economic stability.

CONVERSION OF SEPTIC TO CENTRAL SEWER SYSTEMS

Background: Leakage from coastal septic sewage systems has been suggested as a contributing factor to the current poor health of the Indian River Lagoon and St. Lucie River Estuary. Within the counties of Indian River, Martin and St. Lucie there are about 120,000 private septic systems. Brevard, Volusia, and Palm Beach counties share the same issue. Many local and state political leaders in the region have expressed some desire to eventually get the most troublesome coastal septic tank areas onto public sewer systems. The cost of switching from septic tanks to public sewer systems may be prohibitive for individual counties and property owners.

SUPPORT legislation that would increase funding for and reduce the cost of converting coastal septic systems to central sewer systems and that provides incentives for property owners and local governments to encourage conversions.

2015 Treasure Coast Regional Planning Council Legislative Priorities

STATE FUNDING OF REGIONAL PLANNING COUNCILS

Background: Regional Planning Councils perform several required activities under 16 different state statutes. They also provide significant functions, values, and services to state agencies and to local governments statewide. The Governor appoints one-third of the voting members of the eleven regional planning councils around the state. State funding of around \$2.5 million per year has been provided to regional planning councils since 1986. No definitive reason for the vetoes has been provided by the Governor's office.

For the last four years, the Governor's veto of regional planning council funding has created an unfunded mandate statewide totaling \$10 million.

SUPPORT full state funding of regional planning councils to, at a minimum, cover the costs of statutory responsibilities and support enhanced economic development activities.

SOBER HOMES/RECOVERY RESIDENCES

Background: Sober homes or recovery residences have been an issue for many local governments in the region. Primary community concerns consist of the lack of regulation or oversight by any entity or agency, and there is little to no structure and no standard operating procedure. Due to this lack of oversight, medical treatment is occurring in some sober homes even though it is not permitted, as a sober home is not a treatment facility. Many sober homes are advertising themselves as the entry into treatment, while they should be the last step in the continuum of treatment of post detoxification. Anyone is capable of opening a sober home and does not need credentials to meet or accountability standards to operate one. Additionally, there is no requirement to have any life-safety inspections or background checks of the owners/operators, which may present a public safety issue for tenants of these sober homes. Some of the sober home operators have partnered with laboratory facilities and/or medical providers and are engaging in insurance fraud and/or patient brokering, which is illegal but very hard to prove as the homes do not have to register with any entity or agency.

SUPPORT state and federal legislation and rulemaking that defines and establishes minimum regulatory standards for sober homes and their owners/operators and provides for some penalties for their failure to follow the standards.

RESTORATION OF THE REGION'S RIVERS, ESTUARIES, AND WATERBODIES

Background: The Indian River Lagoon, Lake Worth Lagoon, St. Lucie River and Estuary and the Loxahatchee River exist within a six-county area (Palm Beach, Martin, St. Lucie, Indian River, Brevard, and Volusia) along the southeast and east central coasts of Florida. Even though considered significantly impaired, these riverine and estuarine systems together are still recognized as the most diverse in North America with an estimated annual economic value worth billions of dollars. Concerns about these rivers and estuaries include: too much or not enough freshwater input, degradation of seagrass and other benthic habitats, reduction of oyster and fish populations, total nitrogen and total phosphorous loading, algal blooms, and abnormal mortality in large sea mammal and bird populations.

2015 Treasure Coast Regional Planning Council Legislative Priorities

SUPPORT legislation, projects, or programs to: 1) reduce harmful freshwater discharges into the St. Lucie River Estuary and Indian River and Lake Worth lagoons; 2) increase freshwater flows to the Northwest Fork of the Loxahatchee River; 3) better manage Lake Okeechobee and improve the Herbert Hoover Dike; 4) increase water storage, aquifer recharge and the health and longevity of the Region's natural systems and water supply; 5) adequately fund local government efforts to comply with Total Maximum Daily Load regulations and targets contained in the Florida Department of Environmental Protection (FDEP) Basin Management Action Plans; and 6) adequately fund and manage the Indian River Lagoon National Estuary Program.

TRANSPORTATION

Background: The Region's transportation system should be one that integrates all modes of travel into one balanced system that supports community goals, enhances urban life, increases mobility and provides for healthy economic growth through the safe and efficient movement of goods and people. Achieving and maintaining such a system will become more challenging as the region grows in the future. Serious regional issues that need to be resolved include: infrastructure backlog; increasing auto dependency and its drain on the family budget; rising fuel and infrastructure costs; an antiquated gas tax system; geographic impediments and local opposition to port and rail capacity expansion for passengers and freight; a growing transportation disadvantaged population; and increased traffic congestion which imposes personal inconveniences and barriers to economic development.

SUPPORT legislation, projects, and programs that will: 1) increase the capacity and public safety of roadway, port and airport, rail, public transit, and greenway and trail systems being advanced by local metropolitan/transportation planning organizations; 2) implement an alternative road usage assessment system to replace or supplement the old gas tax system; 3) restore Transportation Regional Incentive Program (TRIP) funding for local government use; 4) improve emergency evacuation times, routes, and planning; 5) increase flexibility in the State's transportation investment policy towards a more balanced allocation of funds between transit and traditional highway capacity projects; 6) establish local government funding for corridor retrofit programs intended to enhance their value for economic development; and 7) establish policy requiring the Florida Department of Transportation to routinely plan, design, construct, reconstruct and operate a "context-sensitive" system of "Complete Streets" that will serve the transportation needs of all ages and abilities while maintaining safety and mobility.

ECONOMIC DEVELOPMENT

Background: The Treasure Coast Region like other regions around the nation are faced with global competition and the choice of investing in diversification, import/export infrastructure, innovation, and education or risk falling behind economically. The current economy – long focused on tourism, agriculture and construction – must be reinforced to respond to new global challenges and competition in an increasingly interconnected world. The region's citrus industry, for example, must now compete with products from Brazil at the same time it opens up new markets for grapefruit juice in China and confronts citrus greening. The slowdown in the residential construction and tourism sectors, however temporary, highlights the importance of a diverse, more recession-proof economy for the region's economic sustainability.

2015 Treasure Coast Regional Planning Council Legislative Priorities

Educational foundations of the region also must be strengthened to ensure a competent and diverse workforce. Challenges related to the region's location and its special physical and environmental features also must be addressed.

SUPPORT legislation, projects and programs that: 1) encourage flood insurance reform; 2) increase funding for local beach renourishment efforts, and inlet and navigable waterway maintenance and improvement; 3) improve the region's climate for existing and emerging industry clusters, business retention, and job growth and creation; 4) facilitate infrastructure retrofits due to saltwater intrusion and sea level rise; 5) fund roadway corridor retrofits and community development/redevelopment programs to improve economic development potential; 6) fully fund the State Housing Initiatives Partnership (SHIP) program; 7) expand the region's housing and homeownership opportunities for underserved populations; 8) support state, federal and local efforts to include research and assist the citrus industry in addressing and controlling the damage and threat caused by citrus greening; 9) improve the region's public education system, including higher education; 10) increase FDEP Brownfields voluntary cleanup tax credit funding from \$5 million to \$10 million; and 11) establish a Summer Olympics Task Force for offering southeast Florida as a venue to host a future Summer Olympic games.

ENERGY AND CLIMATE RESILIENCE

Background: Energy and climate resiliency are of concern to the region for four main reasons: 1) the cost of doing business; 2) environmental impacts; 3) energy security; and 4) the cost of adaptation and infrastructure retrofit due to sea level rise. Due to the region's geography and growth potential, it is expected to have high energy needs and will be especially vulnerable to sea level rise over the long term. Those factors, when coupled with its vulnerable resources, infrastructure, and growth patterns, put the region at a disadvantage compared to other national and international metropolitan areas. However, the opportunities presented by renewable energy sources, energy conservation and climate adaptation strategies are all within control of the state and the region. There are viable approaches for responding to energy and climate resiliency challenges to ensure the special place that is the Treasure Coast Region retains the competitive advantages afforded by its special climate, geography and people.

SUPPORT legislation, projects, and programs to: 1) create a comprehensive state energy policy; 2) establish a renewable energy portfolio standard; 3) fund energy conservation loan programs for homes and businesses; 4) revise public service commission regulations to improve the financial feasibility of energy conservation for power companies; 5) ensure against energy supply interruptions; 6) improve the power and fuel transmission line network; and 7) establish a sea level rise mitigation trust fund for critical state and local government infrastructure retrofit projects.

UNFUNDED MANDATES

Background: Federal and state mandates that require local governments to perform actions but provide no funding for them to fulfill the requirements create an added burden on local taxpayers and may displace other essential local governmental priorities. This is especially true during an economic recovery with reduced ad valorem revenues available to finance local

2015 Treasure Coast Regional Planning Council Legislative Priorities

government. Unfunded mandates take control of the hands of local government and local taxpayers end up paying the bill.

SUPPORT legislation that reduces and eliminates unfunded mandates and increases local government revenues and their ability to collect sufficient to provide needed services and facilities.

2015 Treasure Coast Regional Planning Council Legislative Priorities

Development of the Initiatives for the Gubernatorial Committee



The Gubernatorial Committee of the TCRPC was created to address critical concerns within the member counties which comprise the region. It is composed of at least one delegate from each county (Palm Beach, Martin, St. Lucie, and Indian River), and the Gubernatorial Appointees to the Council.

This Committee is guided by the "home rule philosophy" to develop and implement community-based solutions to regionally shared problems.

The legislative priorities of the TCRPC's membership and other regional stakeholders were reviewed. The Committee's intentions were to identify those issues truly affecting the region as a whole and those that might be more effectively addressed by a collaborative effort and cooperation between local governments of the region speaking with one collective voice. These issues would then become legislative priorities for the region.



Steven M. Weaver, Sr.
St. Lucie County Gubernatorial Appointee
Gubernatorial Committee Chair

"I believe in the power of cooperation and that we are never stronger than when we pool our resources for the betterment of our regional community.

Serving as Chairman for this committee has allowed me to see first-hand that although we come from different counties with unique perspectives, we embrace many of the same critical issues that affect the quality of life in our communities and our region.

The resource and expertise of the Treasure Coast Regional Planning Council affords us a greater opportunity to work collectively and promote regionally."

Steven M. Weaver Sr.

2015 Treasure Coast Regional Planning Council Legislative Priorities

About the Treasure Coast Regional Planning Council

The Treasure Coast Regional Planning Council (TCRPC) was created by and for local government. It serves four counties – Palm Beach, Martin, St. Lucie, and Indian River counties and their 50 municipalities. Formed in 1976 by an interlocal agreement pursuant to Florida Statutes Chapter 163, it is one of 11 regional planning councils statewide.



The TCRPC is governed by a 28-member Board. Two-thirds are elected officials and one-third are gubernatorial appointees.

The TCRPC provides a wide scope of services and programs including town planning, urban design and redevelopment initiatives; economic development, regional transportation, natural resources, dispute resolution, energy conservation and community resiliency; emergency preparedness; and technical assistance.

The TCRPC is committed to continuing its regional initiatives in support of shared visions, values and goals.

Our Mission

To be a dynamic regional forum for local government, providing visionary leadership, advocacy, and coordination between counties and local, state, and federal governmental agencies to solve common problems and preserve and enhance the quality of the region's economic, natural, built, and social environment.

For additional information:

Michael J. Busha, AICP
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Assistant Director

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admin@tcrpc.org

Palm Beach • Martin • St. Lucie • Indian River



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James DuBois Legislative Priorities: DRAFT 6/18/14 as requested for Legislative Priorities Workshop

1) Economic Development of Commercial & Industrial areas: Master planning of central western business districts as compliment to PBC 5 year road plans including maximizing community and tax base benefits from Silver Beach Rd, Old Dixie, Congress Ave Extension and PAE improvements. Investigation of potential state funding sources for master planning of same and funding sources for property and ROW acquisition for road improvement associated with compensating storage location(s). Included would be the potential for creating the Governor's initiative of Manufacturing Districts and potential associated funding sources to accomplish same and associated benefits of developing a Manufacturing District (Model Local Manufacturing Development Ordinance). FIU Funding, MPO discretionary funding

Potential Impact on Lake Park

Lake Park has a significant industrial and commercial tax base located in its central western districts. These areas are largely part of the Town's CRA, but with limited CRA resources there may be state funds associated with enhancing industrial areas. We should seek programs and resources at the state, county and federal levels to enhance the development and redevelopment of vacant land and underutilized built facilities. In order to create interest and prove value we should seek funding for promoting utilization and refurbishment of vacant industrial spaces.

History of Prior Action:

Master planning Central western and commercial district has been discussed as non agenda material by the Commission but no action has been resolved.

2) Coastal Link/AAF platform development, transit hub and TOD funding sources, initial development and operational funding.

Potential Impact on Lake Park:

Improved transportation opportunities for residences and improved transportation for employers.

History of Prior Action:

None

3) Storm water funding for infrastructure improvement projects including LSD, C-17 (Earman River) outfall and Flagler Blvd outfall

Potential Impact on Lake Park:

Rebuilding of infrastructure and reduced storm water fund assessments.

History of Prior Action:

Storm water drainage improvement funding applications across two legislative sessions.

4) Sober Homes Legislation

Potential Impact on Lake Park:

Improved property values, improved neighborhood quality of life, reduced fire/safety costs

History of Prior Action:

Multiple years of legislative sole initiative and partnered initiatives.

5 Taxing of city-owned marinas

From TCRPC 5/16/14 Meeting Minutes - Vice Chairman Mowery indicated there is a recent circuit court decision that will allow for taxing of city-owned marinas. He stated that this will cause rippling effects as it relates to other municipal entities and municipal operations. Commissioner Perona stated that the City of Fort Pierce will be appealing the decision.

Potential Impact on Lake Park:

None provided.

History of Prior Action:

None provided.

6 AAF/ Coastal Link Quiet Zone Funding. Consultant Louis Rotundo TOD District Special Assessment towards operating Coastal Link station.
Comp Plan revision Mobility Fee

Potential Impact on Lake Park:

None provided.

History of Prior Action:

None provided.

7 Marina upland parking development

Potential Impact on Lake Park:

None provided.

History of Prior Action:

None provided.

8 Gateway Rd / 10th St. Resurfacing and other streets and roads infrastructure rebuilding

Potential Impact on Lake Park:

None provided.

History of Prior Action:

None provided.

James DuBois

TOWN OF LAKE PARK - ANNUAL BUDGET
TOWN COMMISSION (GF 100)
LEGISLATIVE PRIORITIES
FISCAL YEAR 2014-15

Vice-Mayor
Schedule 6

Legislative Priority	Potential Impact on the Town of Lake Park	History of Prior Action
#1 Sever Homes	A formal negotiations program by State oversight would help eliminate illegitimate "vacancies" / evictions	Bill vetoed down to "ordinance" & not heard in Senate (2014)
#2 Infrastructure Funding (Lake Shore Dr drainage)	Financial assistance for major infrastructure that connects Newell from Federal Hwy	Vetoed by Governor (2013)
#3 MSTU for Sheriff & line rescue (separate from ad utilities)	Separate assessments for law enforcement & fire for law enforcement village focus would allow min. to be reduced + allow min. to merge for general operating	
#4		

TOWN OF LAKE PARK – ANNUAL BUDGET

TOWN COMMISSION (GF 100)

LEGISLATIVE PRIORITIES

FISCAL YEAR 2014-15

SCHEDULE 6

<i>Legislative Priority</i>	<i>Potential Impact on the Town of Lake Park</i>	<i>History of Prior Action</i>
#1 Sober Home Bill	Improving the quality of care & successful recovery. Regulation, reporting, testing and visiting homes. Cap of how many homes are allowed per population	Bill did not pass in Senate, in 2014, pursuing bill in 2015.
#2 Better utilization of Industrial land, capital improvements & conservation	Increase jobs, Promote expansion and growth of existing businesses. Lower taxes. Business with technical assistance & capital to increase jobs and help business relocate and grow in LP. Establishes incentives for development	2013 Gov. Rick Scott created a new agency FL Dept of Economic Opportunity to build, relocate & expand by streamlining small to medium businesses, permitting & not raise taxes.
#3 Stormwater, wastewater system, quality, preserve resources and the impact of pollution runoff to impaired waters.	Water quality, preservation of our surrounding resources, stormwater systems and polluted runoff to impaired waters. Funding thru DEP for repairs. Ease the burden from tax payers.	Sen. Joe Negron chaired 2013 public mtgs. To improve water quality. Increase funding and regulation thru DEP for water quality improvement. Prior to 2014/2015 it was an unfunded mandate.
#4 Septic to Sewer	Residents or businesses may convert to Septic at no cost or reimbursement through stamp tax revenues. Benefit to 10 th Street conversion.	Sen. David Simmons released a draft protect on a bill to hook septic tank users to central sewers at no cost to residents and provide reimbursement through stamp tax revenues

TOWN OF LAKE PARK – ANNUAL BUDGET

TOWN COMMISSION (GF 100)

LEGISLATIVE PRIORITIES

FISCAL YEAR 2014-15

SCHEDULE 6

Legislative Priority	Potential Impact on the Town of Lake Park	History of Prior Action
#1 Sober Homes	Improving the quality of care & successful recovery. Regulation, reporting, testing and visiting homes. Put a cap of how many homes are allowed per population	Bill did not pass in Senate, needs more effort in 2015
#2 Mixed land use	Economic development, jobs, retail. Compliment to the marina US 1.	Other cities successful
#3 Better utilization of Industrial land, capital improvements & conservation	Increase jobs, Promote expansion and growth of existing businesses. Lower taxes. Water supply safety	
#4 All Aboard Tri Rail	Reduce auto use & traffic in the town. Promote residential & industrial building. Reduce taxes	Ongoing effort

Exhibit "B"

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Bradenton Herald

Previous Story
Next Story

Sarasota city commissioners identify top legislative priorities

By CLAIRE ARONSON

caronson@bradenton.com November 4, 2014 Updated 8 hours ago

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SARASOTA -- Sarasota City Commissioners are considering mental health funding and money for programs for the homeless among the city's top priorities for the next legislative session.

At Monday's commission meeting, commissioners established the top legislative priorities for 2015 as public pension reform, funding for homelessness programs and mental health initiative programs, red light cameras and enterprise zones. After some revisions to the priorities, Commissioner Shannon Snyder asked that the priorities come back before the commission for a final approval at the Nov. 17 meeting.

A representative from the city commission will present the City of Sarasota's legislative priorities to the Sarasota County Legislative Delegation Hearing, which is tentatively scheduled for Dec. 3 and will be from 9 a.m. to noon at the Sarasota County Administration Building.

"If we align ourselves with the Manasota League of Cities and Florida League (of Cities), we have a greater force," Mayor Willie Charles Shaw said. "We take ours and they take theirs (legislative priorities) but we all have the same message."

On Monday, the city commissioners also approved the formation of an ad hoc committee to address improvements to the Bobby Jones Golf Course, 1000 Circus Blvd., Sarasota, to remedy deterioration. The Bobby Jones Golf Club Study Committee would be made up of at least five citizen volunteers. Appointments to the committee will be made at the commissioner's first meeting in January and applications to be on the committee be accepted later this month.

At the meeting, Commissioner Suzanne Atwell asked that the committee's members be residents of the City of Sarasota and if there are not qualified people within the city, then could look outside the city into Sarasota and Manatee counties. The other commissioners approved the clarification.

"I think everyone is in agreement that the city is to retain control of the operation," Commissioner Paul Caragiulo said.

Sarasota resident Millie Small told the commissioners on Monday, "Let's keep it simple and do what needs to be done."

Sarasota resident Norman Dumaine said an ad hoc committee should be formed.

"I want it to become the best municipal golf course that it can be," Dumaine said. "We are all invested in the success of Bobby Jones (Golf Course)."

Claire Aronson, University Parkway/Sarasota reporter, can be reached at 941-745-7024 or at caronson@bradenton.com. Follow her on Twitter @Claire_Aronson.

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**Public
Hearing
Quasi-
Judicial**

TAB 3



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: November 19, 2014


Agenda Item No. 3

Agenda Title: AN APPLICATION BY ALDI FLORIDA LLC, FOR SPECIAL EXCEPTION USE AND SITE PLAN APPROVAL FOR A 17,098 SQUARE FOOT GENERAL GROCERY STORE

(Continued from October 1, 2014).

- SPECIAL PRESENTATION/REPORTS
- BOARD APPOINTMENT
- PUBLIC HEARING ORDINANCE ON __ READING
- RESOLUTION – PUBLIC HEARING/QUASI-JUDICIAL
- OTHER
- CONSENT AGENDA
- OLD BUSINESS

Approved by Town Manager  Date: 11/7/14

Nadia Di Tommaso / Community Development Director 
Name/Title

<p>Originating Department: Community Development</p>	<p>Costs: \$ Required advertisement and certified mail</p> <p>Funding Source: Applicant ("Aldi LLC")</p> <p>Acct. # 4770</p> <p><input type="checkbox"/> Finance _____</p>	<p>Attachments:</p> <ul style="list-style-type: none"> → Original Staff Report → Resolution 33-10-14 → Copy of Applications → Copy of Legal Ad and Certified Letter → Site Plan Package (with updated plans) – <i>available in the drop box and in paper format in the Community Development Department.</i>
<p>Advertised: Date: 08-29-2014 Paper: Palm Beach Post <input type="checkbox"/> Not Required</p>	<p>All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.</p>	<p>Yes I have notified everyone <u>ND</u> – see <i>notation in costs field</i> or Not applicable in this case _____ Please initial one.</p>

Summary Explanation/Background:

The Owner of the subject property, Congress Avenue Properties LLC, is currently under a purchase contract with ALDI Florida LLC (the Applicant). Aldi LLC submitted a Site Plan and Special Exception Use application to develop a 17,098 square foot "General Grocery Store" on Parcel A of the Congress Business Park Planned Unit Development (PUD). The subject site has a "Commercial/Light Industrial" land use designation and is within the previously approved Congress Business Park Planned Unit Development (PUD) zoning district with an underlying Commercial-2 Business District (C-2) zoning district designation.

Section 78-77(1)(g)(3) of town code states that the uses which are permitted within a PUD include those which are listed in the underlying zoning district. A general grocery store measuring over 10,000 square is not listed as a permitted use in the C-2 zoning district. A PUD also provides for *additional uses that may be permitted by the Town Commission following review and approval of a Special Exception Application.*

Staff has determined that because the C-2 zoning district allows smaller specialty grocery stores, ALDI's proposed 17,098 square foot "general grocery store" may be permissible if approved as an "additional" special exception use. Staff's interpretation of the code is based upon the opinion that a general grocery store is compatible with the uses and general intent of the C-2 zoning district which permits a wide variety of commercial uses.

Both applications, the special exception use and the site plan, were reviewed pursuant to the town code criterion for special exception uses and requirements for site plan review and have met the town code criterion and requirements. The enclosed staff report includes a detailed description of the criterion and requirements.

The Planning & Zoning Board reviewed the applications at its September 8, 2014 meeting and provided a unanimous recommendation of approval on both the special exception use of a 17,098 square foot general grocery store and on the site plan application with all the conditions of approval proposed by staff along with additional conditions #18, #19, and #20.

The Town Commission reviewed the applications at the October 1st Town Commission meeting. At this meeting, the Town Commission expressed concerns with the applicant's architectural elevations; truck access; cross access to the vacant property to the north; and lack of detail to the responses to the questions on the actual special exception application form.

The applicant resubmitted modified plans and a modified application form which incorporates the following:

- (1) Architectural elevations with an alternative coral reef stone; real horizontal windows; additional banding and roofline projections;**
- (2) Extended foundational planting beds (along with a slight reduction to the building area by 9 square feet) and 20 foot high royal palms adorning the entrance on each side; and additional landscaping along the north property line.**
- (3) An increased truck drive aisle width of 27.4 feet to allow for better maneuvering in the rear entrance/exit area to the truck well.**
- (4) A modified special exception application form with more detailed responses.**
- (5) A cross access driveway access point to the vacant property to the north, along with the reconfiguration of the parking spaces while still retaining the required 85 parking spaces.**

Recommended Motion: I MOVE TO APPROVE RESOLUTION 33-10-14 WITH THE CONDITIONS OF APPROVAL PROPOSED BY STAFF.



**TOWN LAKE OF PARK
TOWN COMMISSION
ORIGINAL MEETING DATE: October 1, 2014
ITEM CONTINUED TO NOVEMBER 19, 2014**

APPLICATION: SITE PLAN AND SPECIAL EXCEPTION USE FOR A 17,098 SQUARE FOOT ALDI GROCERY STORE WITHIN THE CONGRESS BUSINESS PARK PLANNED UNIT DEVELOPMENT

SUMMARY OF APPLICANT'S REQUEST: The Owner of the property, which is the subject of the two Applications, is Congress Avenue Properties, LLC (Owner). ALDI Florida, LLC ("Applicant") has a contract to purchase the property referenced in the submitted Applications for a Site Plan and the Special Exception Use of "Grocery Store". The Applicant proposes to develop a 17,098 square foot "ALDI" grocery store on Parcel A of the Congress Business Park Planned Unit Development ("the Site"). The Site has a "Commercial/Light Industrial" land use designation and is within the previously approved Congress Business Park Planned Unit Development (PUD) Zoning District with an underlying Commercial-2 Business District (C-2) zoning designation.

Section 78-77(1)(g)(3) of Town Code states that the uses which are permitted within a PUD includes those which are listed in the underlying zoning district. However, within a PUD, *additional uses may be permitted by the Town Commission following review and approval of a Special Exception Application.*

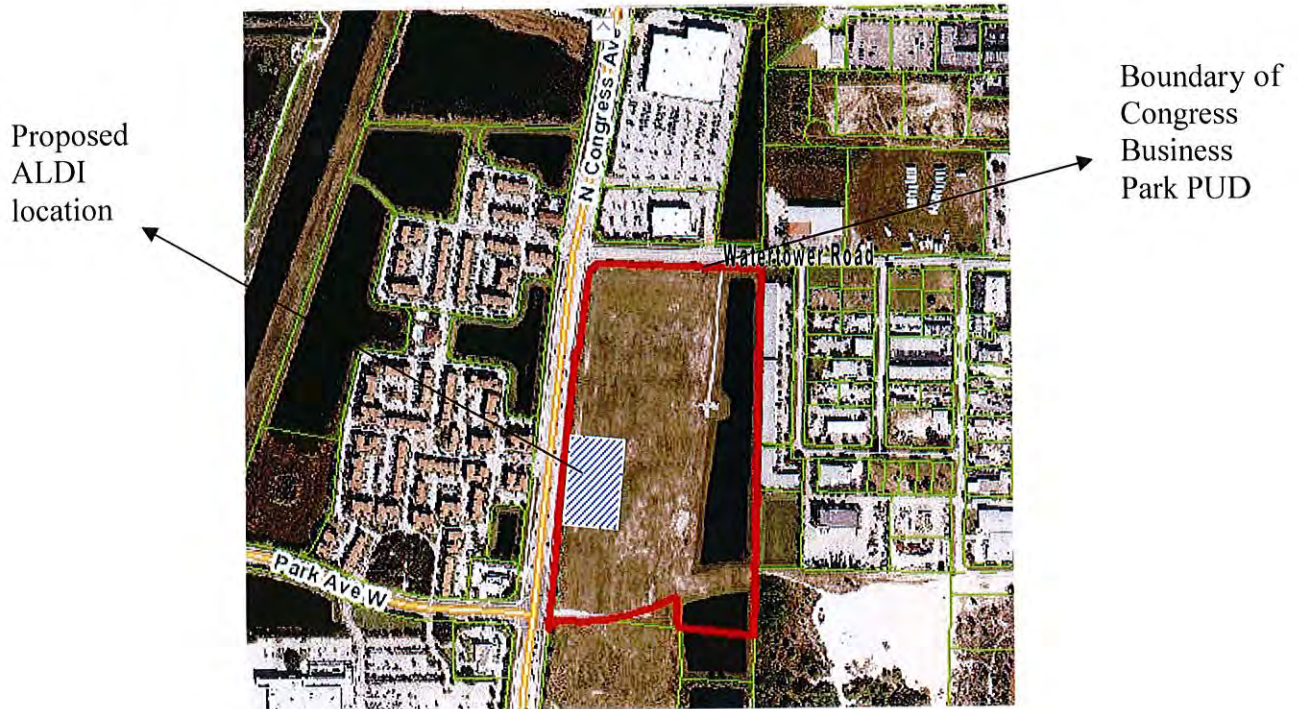
The C-2 Zoning District only allows specialty grocery stores as a use by right with a maximum building size of 10,000 square feet. Staff has determined that ALDI's proposed grocery store is not a "specialty grocery store." Consequently, Staff has interpreted the Applicant's proposed 17,098 square foot *general* grocery store as being an "additional use" which would be permitted within the PUD provided it meets the criteria established by the Code for a Special Exception Use. Staff's interpretation of the Code is based upon the opinion that a general grocery store is compatible with the uses and general intent of the C-2 Zoning District which permits a wide variety of commercial uses.

PLANNING & ZONING BOARD (Recommended Approval 5-0: 09/08/2014): **A recommendation of approval was motioned, seconded, and approved 5-0 for both the special exception use and the site plan with additional conditions #18, #19, and #20.**

BACKGROUND:

Applicant(s): Jeffery Williams/ALDI Florida, LLC
Owner(s): Congress Avenue Properties, LLC
Address/Location: North Congress Avenue
Net Acreage: 2.38 acres
Legal Description: 19-42-43, PT OF SE 1/4 LYG BET WATER TOWER RD RW & PB21P3 & E OF & ADJ TO CONGRESS AVE RW (LESS SLY 728.69 FT & PT K/A
Existing Zoning: Planned Unit Development (PUD)
Commercial 2 (C-2) Business District
Future Land Use: Commercial/Light Industrial

Figure 1: Aerial View of Site (image not to scale; for visual purposes only)

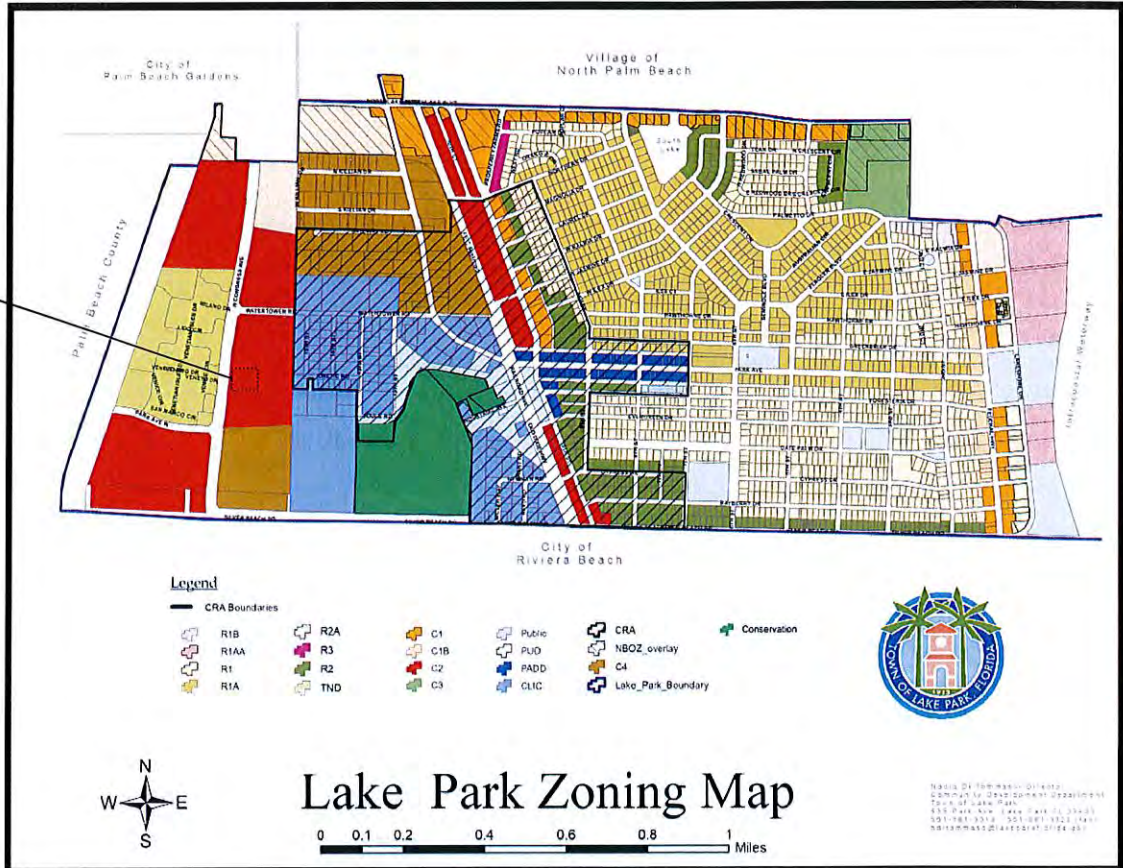


Adjacent Zoning

North: Planned Unit Development (PUD) / Commercial 2 (C-2)
 South: Planned Unit Development (PUD) / Commercial 2 (C-2)
 East: Planned Unit Development (PUD) / Commercial 2 (C-2)
 West: Traditional Neighborhood District (TND)

LAKE PARK ZONING MAP

Subject Site

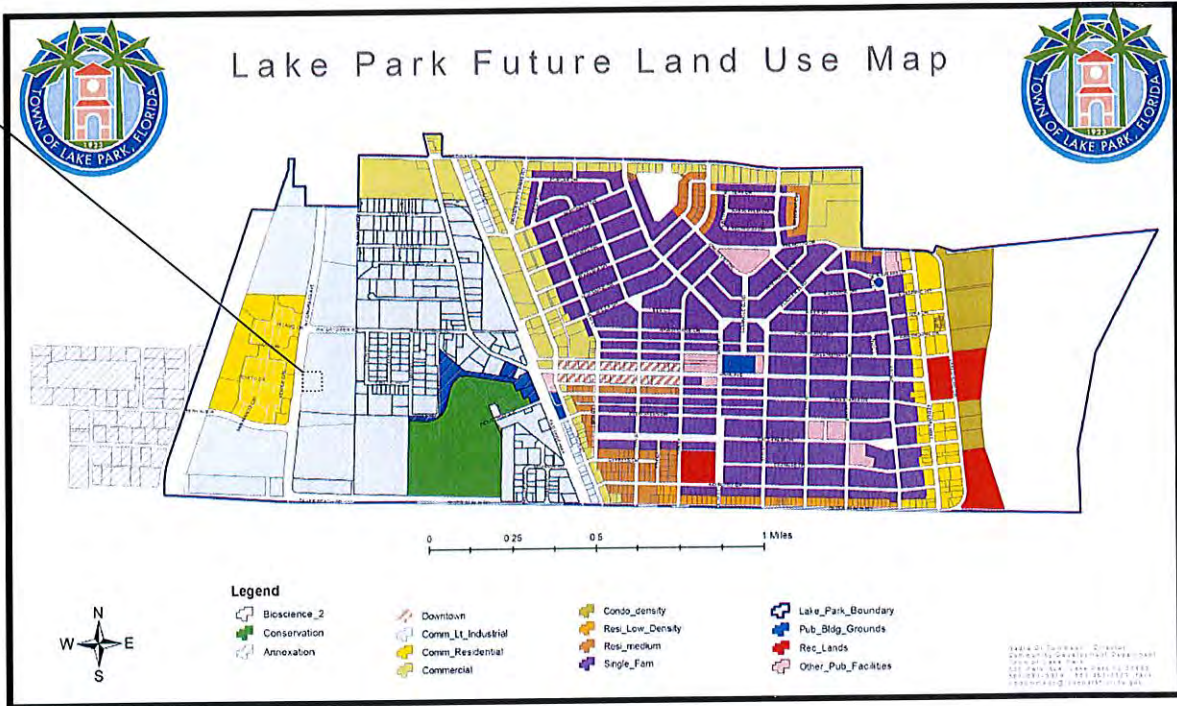


Adjacent Existing Land Use

North: Commercial Light Industrial
 South: Commercial Light Industrial
 East: Commercial Light Industrial
 West: Commercial/Residential

LAKE PARK FUTURE LAND USE MAP

Subject Site



PART I: APPLICATION FOR A SPECIAL EXCEPTION USE

ANALYSIS OF SPECIAL EXCEPTION CRITERIA

Town Code **Section 78-184** sets forth the criteria which must be met to entitle an applicant to a Special Exception use. There are criteria, all of which must be met. **Note: Staff's analysis of the criterion are in bold.**

1. Is the proposed Special Exception Use consistent with the goals, objectives, and policies of the Town's Comprehensive Plan?

Staff has determined that the proposed use would specifically further two Objectives, and one Policy of the Future Land Use Element of the Comprehensive Plan:

Objective 1, Policy 1.5:

The Town shall encourage development and redevelopment activities which will substantially increase the tax base while minimizing negative impacts on natural and historic resources, existing neighborhoods and development, and adopted Levels of Service standards.

Objective 5 :

As a substantially built-out community in an urbanized area, the Town shall promote redevelopment and infill development in a manner that is considerate to existing neighborhoods and uses, the built and natural environments, and neighboring jurisdictions.

The development of a new building on a currently undeveloped parcel will increase the Town's tax base. The Site is not environmentally sensitive or historically significant and therefore the development of the Site would not cause negative impacts to the surrounding area, or existing neighborhoods. The development of a general grocery store across Congress Avenue from a large residential apartment complex furthers the two Objectives and the Policy of the Comprehensive Plan of infill development which is considerate of existing neighborhoods. The Palm Beach County Traffic Division has issued a traffic concurrency letter confirming that the development of ALDI will not exceed the adopted level of service for North Congress Avenue.

CRITERIA MET.

2. Is the proposed Special Exception Use consistent with the Town's land development regulations and all other portions of this Code?

The Site Plan meets the Land Development Regulations of the Town Code.

CRITERIA MET

3. Is the proposed Special Exception Use compatible with the character and use (existing and future) of the surrounding properties in its function; hours of operation; type and amount of traffic to be generated; building location, mass, height and setback; and other relevant factors peculiar to the proposed special exception use and the surrounding property?

A general grocery store is compatible with the character of the surrounding commercial uses. The commercial uses along North Congress Avenue

includes big box retail businesses such as Kohl's, Walmart, and Target. The Applicant's proposed hours of operation (from 9 am – 8 pm, 7 days a week) are comparable to these businesses and considerate of the surrounding areas, including the residential district directly across the proposed Site on the west side of North Congress Avenue.

CRITERIA MET

4. Will the proposed Special Exception Use on the Site create a concentration or proliferation of the same or similar type of use, which may be detrimental to the development or redevelopment of the area?

There are no standalone specialty or general grocery store uses along North Congress Avenue, however, several businesses along the Corridor provide food (grocery) sales as part of their operation. Given the nature of this use being proposed as a standalone grocery store, and the market it will serve, it is highly unlikely that the general grocery store would result in a proliferation of grocery stores in this area of the Town.

CRITERIA MET

5. Will the proposed Special Exception Use have a detrimental impact on surrounding properties based on:

- a. The number of persons anticipated to be using, residing, or working on the property as a result of the special exception use;

The proposed use is not expected to have a detrimental impact on the surrounding properties. The Site Plan meets the Code's Land Development Regulations for a general grocery store and provides sufficient parking for customers using it and the employees who will be employed there.

CRITERIA MET

- b. The degree of noise, odor, visual, or other potential nuisance factors generated by the special exception use.

The primary operations of the proposed Special Exception Use are entirely indoors, and therefore, should not produce any external visual or odor nuisances. Delivery trucks will bring products to the store on a regular basis. These vehicles may create some noise, odor, or other nuisances, however, this activity will take place on the exterior of the building inside the truck well which is screened from public view. The Applicant is proposing a sloped truck well where delivery trucks can unload produce and goods to be sold within the store. This type of delivery area is similar to other businesses within the corridor. This may mitigate to a small degree the noise or visual nuisances that may occur as a result of the deliveries.

The dumpsters will be located within the truck well and will be screened from public view as well.

CRITERIA MET

- c. The effect on the amount and flow of traffic within the vicinity of the proposed special exception use.

As previously stated, Palm Beach County's Traffic Division issued a Traffic Concurrency Letter which verifies that the projected traffic upon the affected roadways meets the County's Traffic Performance Standards based on the proposed use, can be accommodated.

CRITERIA MET

(6) Does the proposed Special Exception Use:

- a. Significantly reduce light and air to adjacent properties?

The building constructed upon the Site generally meets the setback regulations of the Town Code for a use of this nature. It should also be noted that the Site is within a "master planned" PUD.

CRITERIA MET

- b. Adversely affect property values in adjacent areas.

The Site's development will not adversely affect the property values of the adjacent uses.

CRITERIA MET

- c. Deter the improvement, development or redevelopment of surrounding properties in accord with existing regulations.

The proposed Special Exception Use would not be a deterrent to the improvement, development or redevelopment of surrounding properties.

CRITERIA MET

- d. Negatively impact adjacent natural systems or public facilities, including parks and open spaces.

The proposed Site is not within or in close proximity to any naturally sensitive areas or parks. The south, east, and west sides directly adjacent

to the Site are undeveloped, therefore, the proposed Special Exception Use will not negatively impact any open space or public facilities.

CRITERIA MET

- e. Provide pedestrian amenities, including, but not limited to, benches, trash receptacles, and/or bicycle parking.

The Site Plan indicates that trash receptacles, benches and bike racks will be located at appropriate locations on the Site. A pedestrian pathway across the Site provides connectivity to and from North Congress Avenue.

CRITERIA MET

PART II: APPLICATION FOR A SITE PLAN

The Site Plan has been reviewed by the Town’s Engineer, Landscape Architect, and Community Development Department. Based upon this review, the Staff finds that the Site Plan meets the Land Development Regulations of the Town Code, and is consistent with the PUD’s established Signage Guidelines, Architectural Guidelines, and Landscaping Plan.

SITE PLAN PROJECT DETAILS:

Building Site: The Site is a parcel within a Master Plan associated with a PUD. The PUD’s underlying zoning designation is C-2. The Site is to be developed as a general grocery store of 17,098 square feet.

Site Access: The Site has two entrances. One entrance is on the west side of the Site and the other is on the south side, both of which are accessible by the PUD’s interior roads. The interior roads can be accessed by using the Park Avenue West Extension road which is currently under construction.

Traffic: The Applicant has received a Traffic Performance Standard (TPS) concurrency letter from Palm Beach County’s Traffic Division which confirms that there is adequate capacity on the roadways which serve the Site.

Landscaping: The Site Plan meets the Town’s Landscaping Code regulations and is consistent with the Landscaping Master Plan approved pursuant to a previously approved application for a PUD by the owner of the property. The Applicant’s Landscaping Plan has been determined to be “satisfactory for Site Plan Approval” by the Town’s consulting Landscape Architect.

Drainage: The Town's Engineer has reviewed the Applicant's Paving and Drainage Plan and has determined that it meets the engineering requirements for Site Plan review.

Parking: The Town's Parking Code requires 5 spaces per 1,000 square feet of gross floor area. Therefore, the proposed building at 17,098 square feet requires 86 parking spaces. The Applicant is proposing 86 parking spaces, which includes 4 required handicap parking spaces.

Signage: The Applicant has submitted a proposed Master Signage Plan that is consistent with the Town's Sign Code and the previously approved PUD Master Signage Plan. The Applicant is proposing wall signs above the south and east building entrances, as well as a monument sign classified as a PUD Tenant Sign in the PUD regulations.

Zoning: The use of a general grocery store is not a use permitted by right, but rather as an "additional use" by special exception approval. The Applicant has applied for Special Exception Use approval.

Water/Sewer: Staff has received confirmation from Seacoast Utilities Authority that the Applicant has reserved water capacity for the Site. Drainage permits are required prior to the issuance of building permits per SUA.

Design: The Applicant's proposed Elevations Plan meets the Town's Architectural Guidelines as well as the architectural guidelines established by the previously approved PUD. The Applicant has incorporated design features for the building which are consistent with the intent of the Code and the previously approved PUD.

Fire: Palm Beach County Fire completed a preliminary site plan review of the proposed Site Plan and has no comments pertaining to the Site Plan at this time. PBC Fire will be reviewing the plans in greater detail as part of the building permit review process at that time.

PBSO: The Crime Prevention Through Environmental Design (CPTED) review was done by the Town Planner who is CPTED Certified rather than the Palm Beach Sheriff's Office (PBSO). The Reviewer recommended the installation of video surveillance, but the Applicant chose to not incorporate the recommendation. The Reviewer did not raise any additional recommendations or concerns.

PART III: STAFF RECOMMENDATION

Staff recommends **APPROVAL** of the Special Exception Use for a 17,098 square foot grocery store in the Congress Business Park PUD. Staff recommends **APPROVAL** of the Site Plan subject to the following conditions:

1. The Applicant shall develop the Site consistent with the following Plans:
 - a. Site Plan, Site Plan Details, and Photometric Plan referenced as Sheets C-3, C-4, and C-11 respectively; signed and sealed on October 14, 2014 and prepared by Thomas Engineering Group; received and dated by the Department of Community Development on October 15, 2014.
 - b. Landscape Plans and Irrigation Plans, referenced as Sheets LP-1, LP-2, LP-3 and LI-1, LI-2, LI-3; signed and sealed on October 14, 2014 and prepared by Thomas Engineering Group; received and dated by the Department of Community Development on October 15, 2014.
 - c. Signage Plan referenced as Sheet MS100, signed and sealed on August 22, 2014 prepared by Cuhaci & Peterson Architects Engineers Planners; received and dated by the Department of Community Development on August 29, 2014.
 - d. Floor Plan and Elevations referenced as Sheets A-131 and A-201, respectively, signed and sealed on October 6, 2014 prepared by Cuhaci & Peterson Architects Engineers Planners; received and dated by the Department of Community Development on October 15, 2014.
 - e. Paving, Grading & Drainage and Water/Sewer Plans referenced as Sheets C-5 through C-11; signed and sealed on October 14, 2014 and prepared by Thomas Engineering Group; received and dated by the Department of Community Development on October 15, 2014.
 - f. Survey dated May 20, 2014 referenced as Drawing D99-240K prepared by Lidberg Land Surveying Inc. signed and sealed on May 20, 2014 and received by the Department of Community Development on September 3, 2014.
2. Construction is permitted only between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday, except holidays, unless otherwise approved in writing by the Community Development Director.
3. Any proposed disruption to the normal flow of traffic within the rights of way of North Congress Avenue or the Park Avenue West Extension during the construction of the Site, shall be subject to the review and approval of the Community Development Director (the Director).

4. Should any disruption to the normal flow of traffic occur during construction of the Site, the construction shall immediately cease until the Directors of the Town's Public Works Department and Community Development Departments have reviewed the situation and given the Applicant written approval to proceed.
5. Should any disruption to the surrounding entrance/exit streets and parking areas along North Congress Avenue or the Park Avenue West Extension occur such that the daily operation of nearby businesses is adversely impacted, the construction activities shall cease until the Applicant has secured the written approval of the Director.
6. All landscaping shown on the Site Plan and the Landscaping Plan shall be continuously maintained from the date of the issuance of the Certificate of Occupancy by the Town. The Owner/Applicant shall replace any and all dead or dying landscaping materials so as to maintain the quantity and quality of the landscaping shown on the approved Site Plan and Landscaping Plan.
7. The hedge material for the Site shall be maintained at five feet unless otherwise noted on the approved plans for the Site or the PUD.
8. Safe and adequate pedestrian passage shall be maintained along the Site's entrances.
9. The Applicant shall ensure that any and all contractors use commonly accepted practices to reduce airborne dust and particulates during construction of the Site.
10. The dumpster shall be screened as noted on the Site Plan and kept closed at all times. All dumpsters shall be acquired from the approved franchise supplier for the Town.
11. Prior to issuance of the Certificate of Occupancy, the Applicant shall provide certification from the Landscape Architect of record that the plant installations on the Site are in accordance with the approved Site Plan and the Landscaping Plan.
12. The Site shall be subject to the Unity of Control which has been approved for the PUD. No building permit shall be issued until and unless an executed Unity of Control approved by the Town Attorney has been recorded.
13. Prior to the issuance of a building permit, the Applicant shall submit an application for a Plat and receive its approval by the Town.
14. Prior to the issuance of any building permits, the Applicant shall submit copies of any permits required by other agencies, including but not limited to Palm Beach County Health Department, Palm Beach County Land Development Division, South Florida Water Management Division and the State of Florida Department of Environmental Protection.
15. Any revisions to the approved Site Plan, Landscape Plan, architectural elevations, signs, statement of use, photometric plan, or other detail submitted as part of the

Application, including, but not limited to, the location of the proposed improvements or additional, revised, or deleted colors, materials, or structures, shall be submitted to the Department, and shall be subject to its review and approval.

16. Prior to the issuance of a Certificate of Occupancy for the grocery store, the Owner and Applicant shall ensure that all of the Park Avenue Extension, the interior roadways and curb cuts as shown in the approved PUD Master Plan have been constructed and approved by the Town Engineer.
17. Continuous access shall be maintained between all parcels in accordance with the PUD Master Plan and Section 78-144 of the Town Code and cross access agreements may be required as additional properties within the PUD get developed.
18. The Owner or Applicant shall initiate bona fide and continuous development of the Site within 18 months from the effective date of this Development Order. Failure to do so shall render the Development Order void. Once initiated, the development of the Site shall be completed within 18 months.
19. **Cost Recovery.** All fees and costs, including legal fees incurred by the Town in reviewing the Application and billed to the Owner shall be paid to the Town within 10 days of receipt of an invoice from the Town. Failure by an Owner or an Applicant to reimburse the Town within the 10 day time period may result in the suspension of any further review of plans or building activities, and may result in the revocation of the approved Development Order.

RESOLUTION NO. 33-10-14

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, APPROVING A SITE PLAN AND SPECIAL EXCEPTION USE FOR A 17,098 SQUARE FOOT ALDI GROCERY STORE TO BE LOCATED WITHIN THE CONGRESS BUSINESS PARK PLANNED UNIT DEVELOPMENT; PROVIDING FOR CONDITIONS ASSOCIATED WITH THE APPROVAL OF THE SITE PLAN AND USE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, ALDI Florida, LLC, (“Applicant”) is proposing to develop a 17,098 square foot “ALDI” grocery store on Parcel A of the Congress Business Park Planned Unit Development Zoning District (the Site); and

WHEREAS, the Site is currently owned by Congress Avenue Properties (“Owner”) and the Applicant has a contract to purchase the proposed Site; and

WHEREAS, Applicant has submitted Applications for a Site Plan and Special Exception Use of “Grocery Store” (the Applications); and

WHEREAS, the Site has a future land use designation of “Commercial/Light Industrial”; and

WHEREAS, the Site is within the previously approved Congress Business Park Planned Unit Development (PUD); and

WHEREAS, the zoning of the Site is PUD with its underlying zoning designation being Commercial-2 Business District (C-2);

WHEREAS, the uses permitted in the PUD include those uses permitted in the C-2 Zoning District and additional uses by special exception if approved by the Commission; and

WHEREAS, the Community Development Department has determined that the use of a “Grocery Store” would be consistent with the uses permitted in the C-2 Zoning District; and

WHEREAS, the Town’s Planning and Zoning Board has reviewed the Applications and has recommended to the Town Commission that it approve the Applications with certain conditions; and

WHEREAS, the Town Commission has conducted a quasi-judicial hearing to consider the Applications; and

WHEREAS, at these hearings, the Town Council considered the evidence presented by the Town Staff, the Applicant, and other interested parties and members of the public, regarding the Applications.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK:

Section 1: The whereas clauses are incorporated herein as the findings of fact and conclusions of law of the Town Commission.

Section 2. The Town Commission hereby approves a Site Plan and the special exception use of "Grocery Store" subject to the following conditions:

1. The Applicant shall develop the Site consistent with the following Plans:
 - a. Site Plan, Site Plan Details, and Photometric Plan referenced as Sheets C-3, C-4, and C-11 respectively; signed and sealed on October 14, 2014 and prepared by Thomas Engineering Group; received and dated by the Department of Community Development on October 15, 2014.
 - b. Landscape Plans and Irrigation Plans, referenced as Sheets LP-1, LP-2, LP-3 and LI-1, LI-2, LI-3; signed and sealed on October 14, 2014 and prepared by Thomas Engineering Group; received and dated by the Department of Community Development on October 15, 2014.
 - c. Signage Plan referenced as Sheet MS100, signed and sealed on August 22, 2014 prepared by Cuhaci & Peterson Architects Engineers Planners; received and dated by the Department of Community Development on August 29, 2014.
 - d. Floor Plan and Elevations referenced as Sheets A-131 and A-201, respectively, signed and sealed on October 6, 2014 prepared by Cuhaci & Peterson Architects Engineers Planners; received and dated by the Department of Community Development on October 15, 2014.
 - e. Paving, Grading & Drainage and Water/Sewer Plans referenced as Sheets C-5 through C-11; signed and sealed on October 14, 2014 and prepared by Thomas Engineering Group; received and dated by the Department of Community Development on October 15, 2014.
 - f. Survey dated May 20, 2014 referenced as Drawing D99-240K prepared by Lidberg Land Surveying Inc. signed and sealed on May 20, 2014 and received by the Department of Community Development on September 3, 2014.
2. Construction is permitted only between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday, except holidays, unless otherwise approved in writing by the Community Development Director.
3. Any proposed disruption to the normal flow of traffic within the rights of way of North Congress Avenue or the Park Avenue West Extension during the construction of the

- Site, shall be subject to the review and approval of the Community Development Director (the Director).
4. Should any disruption to the normal flow of traffic occur during construction of the Site, the construction shall immediately cease until the Directors of the Town's Public Works Department and Community Development Departments have reviewed the situation and given the Applicant written approval to proceed.
 5. Should any disruption to the surrounding entrance/exit streets and parking areas along North Congress Avenue or the Park Avenue West Extension occur such that the daily operation of nearby businesses is adversely impacted, the construction activities shall cease until the Applicant has secured the written approval of the Director.
 6. All landscaping shown on the Site Plan and the Landscaping Plan shall be continuously maintained from the date of the issuance of the Certificate of Occupancy by the Town. The Owner/Applicant shall replace any and all dead or dying landscaping materials so as to maintain the quantity and quality of the landscaping shown on the approved Site Plan and Landscaping Plan.
 7. The hedge material for the Site shall be maintained at five feet unless otherwise noted on the approved plans for the Site or the PUD.
 8. Safe and adequate pedestrian passage shall be maintained along the Site's entrances.
 9. The Applicant shall ensure that any and all contractors use commonly accepted practices to reduce airborne dust and particulates during construction of the Site.
 10. The dumpster shall be screened as noted on the Site Plan and kept closed at all times. All dumpsters shall be acquired from the approved franchise supplier for the Town.
 11. Prior to issuance of the Certificate of Occupancy, the Applicant shall provide certification from the Landscape Architect of record that the plant installations on the Site are in accordance with the approved Site Plan and the Landscaping Plan.
 12. The Site shall be subject to the Unity of Control which has been approved for the PUD. No building permit shall be issued until and unless an executed Unity of Control approved by the Town Attorney has been recorded.
 13. Prior to the issuance of a building permit, the Applicant shall submit an application for a Plat and receive its approval by the Town.
 14. Prior to the issuance of any building permits, the Applicant shall submit copies of any permits required by other agencies, including but not limited to Palm Beach County Health Department, Palm Beach County Land Development Division, South Florida Water Management Division and the State of Florida Department of Environmental Protection.

15. Any revisions to the approved Site Plan, Landscape Plan, architectural elevations, signs, statement of use, photometric plan, or other detail submitted as part of the Application, including, but not limited to, the location of the proposed improvements or additional, revised, or deleted colors, materials, or structures, shall be submitted to the Department, and shall be subject to it's review and approval.
16. Prior to the issuance of a Certificate of Occupancy for the grocery store, the Owner and Applicant shall ensure that all of the Park Avenue Extension, the interior roadways and curb cuts as shown in the approved PUD Mater Plan have been constructed and approved by the Town Engineer.
17. Continuous access shall be maintained between all parcels in accordance with the PUD Master Plan and Section 78-144 of the Town Code and cross access agreements may be required as additional properties within the PUD get developed.
18. The Owner or Applicant shall initiate bona fide and continuous development of the Site within 18 months from the effective date of this Development Order. Failure to do so shall render the Development Order void. Once initiated, the development of the Site shall be completed within 18 months.
19. **Cost Recovery.** All fees and costs, including legal fees incurred by the Town in reviewing the Application and billed to the Owner shall be paid to the Town within 10 days of receipt of an invoice from the Town. Failure by an Owner or an Applicant to reimburse the Town within the 10 day time period may result in the suspension of any further review of plans or building activities, and may result in the revocation of the approved Development Order.

Section 3: The Owner, Applicant and their successors and assigns shall be subject to the conditions of approval.

Section 4. This Resolution shall become effective upon adoption.



Community

OCT 13 2014

Department

THE TOWN OF LAKE PARK
Community Development Department

APPLICATION FOR SPECIAL EXCEPTION REVIEW

Name of Applicant/Agent: Jeffrey Williams / ALDI Florida LLC

Address: 2056 Vista Parkway, Suite 200
West Palm Beach, FL 33411

Telephone: 813-446-5915 Fax: 888-635-6198

E-mail address: jeff.williams@aldi.us

_____ Owner _____ Agent (Attach Agent Authorization Form)

Owner's Name (if not applicant): CONGRESS AVENUE PROPERTIES LTD

Address: 4500 PGA Boulevard Suite 207
Palm Beach Gardens, FL 33418

Telephone: _____ Fax: _____

E-Mail address: _____

Property Location: North Congress Avenue, Lake Park, FL 33403

Legal Description: Refer to survey

Property Control Number: 3643421900005040

Future Land Use: P.U.D. Zoning: C2

Acreage: 2.54 Square Footage of Use: 17,107 sf

Proposed Use: GROCERY STORE

Adjacent Property

Direction	Zoning	Business Name	Use
North	C2	Vacant	Vacant Commercial
East	C2	Vacant	Vacant Commercial
South	C2	Vacant	Vacant Commercial
West	TND	Residential	Residential

APPLICATION REQUIREMENTS:

1. Please discuss how the Special Exception use is consistent with the goals, objectives, and policies of the Town's Comprehensive Plan.

The development of a new building on a currently undeveloped parcel will increase the Town's tax base. The site is not environmentally sensitive or historically significant and therefore the development of the site would not cause negative impacts to the surrounding area, or existing neighborhoods. The development of a general grocery store across Congress Avenue from a large residential apartment complex furthers the two objectives and the policy of the Comprehensive Plan of infill development which is considerate of existing neighborhoods. The Palm Beach County Traffic Division has issued a traffic concurrency letter confirming the the development of Aldi will not exceed the adopted level of service for North Congress Avenue.

2. Please discuss how the proposed Special Exception is consistent with the land development and zoning regulations and all other portions of the Town of Lake Park Code of Ordinances.

The proposed site plan has been reviewed for consistency with the Land Development Code and has been determined to meet or exceed the required Development Codes.

3. Please explain how the proposed Special Exception use is compatible with the character and use (existing and future) of the surrounding properties in its function; hours of operation; type and amount of traffic to be generated; building location; mass; height and setback; and other relevant factors peculiar to the proposed Special Exception use and the surrounding property.

The development of a general grocery store is compatible with the character of the surrounding commercial uses. The commercial uses along North Congress Avenue include big box retail businesses such as Kohl's, Walmart, and Target. The applicant's proposed hours of operation (from 9 am- 8 pm, 7 days a week) are comparable to these businesses and considerate of the surrounding areas, including the residential district directly across the proposed site on the west side of North Congress Avenue.

4. Please explain how the establishment of the proposed Special Exception use in the identified location does not create a concentration or proliferation of the same or similar type of Special Exception use, which may be deemed detrimental to the development or redevelopment of the area in which the Special Exception use is proposed to be developed.

The proposed Grocery Store is currently the only grocery store proposed in the Commerce Park. In addition it is the only grocery store along the North Congress Avenue corridor however, there are several businesses along the Corridor that provide food (grocery) sales as part of their operation. Given the nature of this use being proposed as a standalone grocery store, and the market it will serve, it is highly unlikely that the general grocery store would result in a proliferation of grocery stores in this area of the Town.

5.a. The proposed site is not expected to have a detrimental impact on the surrounding properties. The site plan meets the LDR for a general grocery store and provides the required parking for customers and employees.

5.b. The primary operations of the proposed Special Exception Use are entirely indoors, and therefore, should not produce any external visual or odor nuisances. The truck delivery service may create some noise, odor, or other nuisances, however, this activity will take place on the exterior of the building inside the truck well which is screened from public view. This type of delivery area is similar to other businesses within the corridor. This may mitigate to a small degree the noise or visual nuisances that may occur as a result of the deliveries. The dumpster is proposed to be located within the truck well and will be screened from Public view as well.

5c.PBC Traffic division has issues a traffic concurrency letter which states that the adjacent roadways have the required capacity for the Proposed Use.

5. Please explain how the Special Exception use does not have a detrimental impact on surrounding properties based on; (a) The number of persons anticipated to be using, residing, or working on the property as a result of the Special Exception use; (b) The degree of noise, odor, visual, or other potential nuisance factors generated by the Special Exception use; (c) The effect on the amount and flow of traffic within the vicinity of the proposed Special Exception use.

6. Please explain how the proposed Special Exception use meets the following requirements; (a) does not significantly reduce light and air to adjacent properties; (b) does not adversely affect property values in adjacent areas; (c) would not be deterrent to the improvement, development or redevelopment of surrounding properties in accord with existing regulations; (d) does not negatively impact adjacent natural systems or public facilities, including parks and open spaces; and (e) provides pedestrian amenities, including, but not limited to, benches, trash receptacles, and/or bicycle parking.

6.a. The building location on the Site generally meets the setback regulations of the Town Code for a use of this nature. It should be noted that the Site is within a "master planned" PUD.

6.b. It is not anticipated that the Site's development will not adversely affect the adjacent property values.

6.c. The proposed Special Exception Use would not be a deterrent to the improvement, development or redevelopment of surrounding properties.

6.d. The proposed Site is not within or in close proximity to any naturally sensitive areas or parks. The proposed is within a PUD therefore the North, East and South sides abut the PUD which is currently undeveloped. The west side is adjacent to North Congress Avenue, therefore the proposed Special Exception Use will not negatively impact any open space or public facilities.

6.e. The site plan indicates that trash receptacles, benches and bike racks will be located at appropriate locations on the Site. Pedestrian access has been provided in all direction adjacent to the PUD and the Site provides connectivity to and from North Congress Avenue.

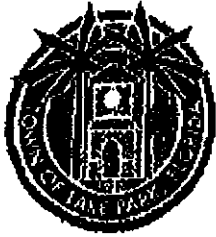
a. Special Exception fee plus escrow of \$800.00.

b. Advertising costs: The petitioner shall pay all costs of publication of public hearing required in a newspaper of general circulation within the Town. This cost will be deducted from the escrow.

c. Courtesy Notice Property Owners List. A complete list of property owners and mailing addresses of all property owners within 300 feet of the subject parcel as recorded in the latest official tax role in the County Court House. Certified Mail will be sent to all owners within 300 feet; postage will be deducted from escrow.

d. The applicant must place a 3' x 3' sign on the property to be readily visible to vehicular and pedestrian traffic stating "THIS SITE IS BEING CONSIDERED FOR A CONDITIONAL USE – TOWN OF LAKE PARK". The applicant shall remove sign from subject property within ten (10) days of final action.

e. Location Map



THE TOWN OF LAKE PARK

APPLICATION FOR SITE PLAN REVIEW

Project Name ALDI - Lake Park

Property Address: North Congress Avenue, Lake Park, FL 33403

Owner CONGRESS AVENUE PROPERTIES LTD Address 4500 PGA Boulevard Suite 207 Palm Beach Gardens, FL 33418

Applicant (if not owner) Jeffrey Williams / ALDI Florida LLC

Applicant's Address 2050 Vista Parkway, Suite 200 West Palm Beach, FL 33411 Phone 813-446-5915

Fax 888-835-8198 Cell Phone E-Mail jeff.williams@aldi.us

Property Control Number (PNC) 3643421900005040

Site information:

General Location Parcel of Land on East side of North Congress Avenue between Water Tower Road and Park Avenue West

Address North Congress Avenue, Lake Park, FL 33403

Zoning District C-2 Business district Future Land Use Comm LI Industrial Acreage 2.54

Adjacent Property:

Table with 4 columns: Direction, Zoning, Business Name, Use. Rows include North, East, South, and West.

Justification:

Information concerning all requests (attach additional sheets if needed.)

1 Explain the nature of the request Construction of a +/- 17,135 square foot ALDI grocery store and associated parking lot and driveways.

2 What will be the impact of the proposed change on the surrounding area?

The proposed site is within a commercial business area so the proposed project should not have an adverse impact to surrounding projects.

3 How does the proposed project comply with Town of Lake Park's zoning requirements?

Proposed commercial business use complies with the current zoning and future land use designation.

Legal Description:

The subject property is located approximately _____ mile(s) from the intersection of _____ on the _____ north, X east _____, south, _____ west side of North Congress Avenue (street/road)

Legal Description See attached legal description.

I hereby certify that I am (we are) owner(s) of record of the above described property or that I (we) have written permission from the owner(s) of record to request this action



Signature of Owner/Applicant

3-5-14

Date

Consent Form from Owner and Designation of Authorized Agent:

Before me, the undersigned authority, personally appeared _____
who, being by me first duly sworn, on oath deposed and says:

1. That he/she is the fee simple title owner of the property described in the attached Legal Description
2. That he/she is requesting _____
in the Town of Lark Park, Florida
3. That he/she has appointed Ryan Thomas, Brandon Ulmer, Thomas Engineering Group
to act as authorized on his/her behalf to accomplish the above project

Name of Owner CONGRESS AVENUE PROPERTIES Ltd.

[Signature]
Signature of Owner

Judith Galvia, V-President
By Name/Title

4500 PGA Boulevard Suite 207
Street Address

Palm Beach Gardens, FL 33418
City, State, Zip code

P O Box

City, State, Zip code

561-691-9050
Telephone Number

561-622-1851
Fax Number

Email Address

Sworn and subscribed before me this 5th day of March 2014



Debbie Powell
Notary Public

My Commission expires _____

RECEIPT

**LEGAL NOTICE OF PUBLIC HEARING
FOR A SPECIAL EXCEPTION USE
AND SITE PLAN APPLICATION -
TOWN OF LAKE PARK**

Please take notice and be advised that the Planning & Zoning Board will hold a public hearing on Monday, September 8, 2014 at 7:00 p.m. in the Town Chambers at Town Hall, located at 535 Park Avenue, Lake Park, Florida, for a Special Exception Use Application and a Site Plan Application by ALDI Florida, LLC. The Special Exception Use Application seeks to establish the use of a general grocery store within the Congress Business Park Planned Unit Development (PUD), to be located on a parcel between Watertower Road and the Park Avenue West, on the east side of North Congress Avenue. The Site Plan Application proposes the development of the proposed 17,107 square foot, one-story general grocery store within the above-referenced PUD. The applications will also tentatively be heard by the Town Commission of the Town of Lake Park at the meeting of Wednesday October 1, 2014 at 6:30 p.m., or as soon thereafter as can be heard. in the Lake Park Town Hall Commission Chambers, 535 Park Avenue, Lake Park, Florida.

If a person decides to appeal any decision made by the Planning and Zoning Board or the Town Commission with respect to any hearing, they will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. For additional information, please contact Vivian Mendez, Town Clerk at 561-881-3311.

Town Clerk: Vivian Mendez
8-29/2014 #294761



**Town of Lake Park
Community Development Department**

Certified Mail – You are receiving this notice because you are the legal owner of record for property that is located within 300 feet of the subject property.

August 28, 2014

Re: ALDI Florida, LLC - Special Exception Use & Site Plan Application

Dear Property Owner:

Please be advised that ALDI Florida, LLC (also known as "ALDI") has filed an application for Special Exception to establish the use of a general grocery store within the Congress Business Park Planned Unit Development (PUD), to be located on a parcel between Watertower Road and Park Avenue West, on the east side of North Congress Avenue. The Applicant is also requesting approval of a Site Plan Application to develop the 17,107 square foot, one-story general grocery store in the above referenced PUD.

The Planning and Zoning Board will conduct a public hearing to consider these applications on **Monday, September 8, 2014 at 7:00 p.m.**

The item will also tentatively be heard by the Town Commission on **Wednesday, October 1, 2014 at 6:30 p.m.**, or as soon thereafter as can be heard.

Both hearings will be held in the Town Hall Commission Chambers located at 535 Park Avenue, Lake Park, Florida. If you have any questions, please do not hesitate to call the Community Development Department at (561) 881-3319.

Sincerely,



Benbic Abraham, Town Planner

535 Park Avenue, Lake Park, Florida 33403 – Phone: 561-881-3320 Fax: 561-881-3323
Web Site: www.lakeparkflorida.gov Email: dabraham@lakeparkflorida.gov

Ordinance on First Reading

TAB 4



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: November 19, 2014

Agenda Item No. 4

Agenda Title: Amending the Town's Library Board Meeting Schedule

- SPECIAL PRESENTATION/REPORTS
- BOARD APPOINTMENT
- PUBLIC HEARING ORDINANCE ON FIRST READING**
- NEW BUSINESS
- OTHER: _____
- CONSENT AGENDA
- OLD BUSINESS

Approved by Town Manager  **Date:** 11/3/14

Karen Mahnk, Library Director
Name/Title

Originating Department: <p style="text-align: center;">Library</p>	Costs: \$ 0.00 Funding Source: Acct. # <input type="checkbox"/> Finance _____	Attachments: Ordinance
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case <u>VM</u> Please initial one.

Summary Explanation/Background: The schedule for when the Town's Library Board meets is established within Town Code Section 2-158. The Code mandates that the Library Board shall hold at least one regular meeting per month.

The Library Board acts in an advisory capacity to the Town Commission and represents the citizens of the Town. In an effort to accommodate the schedules of Board members, the Board had previously changed meeting frequency from every other month to every month. However, the monthly schedule is no longer practical for current Board members. Staff has reviewed the Code and is recommending that the Commission modify the requirement for the Library Board to hold one meeting per calendar year as well as on an on-demand basis instead of forcing the Board to meet on a monthly basis.

Recommended Motion: I move to adopt Ordinance 15-2014.

ORDINANCE NO. 15-2014

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AMENDING CHAPTER 2, ARTICLE IV, DIVISION 2 OF THE TOWN CODE ENTITLED "LIBRARY BOARD"; PROVIDING FOR THE AMENDMENT OF SECTION 2-158, PERTAINING TO THE LIBRARY BOARD'S MONTHLY MEETING SCHEDULE; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 2, Article IV, Division 2 of the Town Code established a Library Board; and

WHEREAS, Section 2-158 established a monthly meeting schedule for the Library Board; and

WHEREAS, the staff has recommended to the Town Commission the amendment of Sections 2-158 to change the Library Board's meeting schedule; and

WHEREAS, the Town Commission deems it in the best interests of the Town to amend said Section 2-158 in accordance with the staff's recommendation.

NOW THEREFORE, be it ordained by the Town Commission of the Town of Lake Park, Florida:

Section 1. The whereas clauses are incorporated herein as true and correct and the findings of the Town Commission.

Section 2. Chapter 2, Article IV, Division 2, Section 2-158 of the Town Code is hereby amended to read as follows: In the performance of its duties set forth in this article, the library board shall hold at least one meeting per calendar year. The Board may also conduct meeting on an as-needed basis.

Section 3. Severability. If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

Section 4. Repeal of laws in conflict. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 5. Codification. The provision of this Ordinance shall become and be made a part of the Town Code for the Town of Lake Park.

Section 6. Effective Date. This Ordinance shall take effect immediately upon passage.

Ordinance on Second Reading

TAB 5



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: November 19, 2014

Agenda Item No. 5

Agenda Title: REQUEST TO UPDATE THE CAPITAL IMPROVEMENTS SCHEDULE IN THE TOWN'S COMPREHENSIVE PLAN CAPITAL IMPROVEMENTS ELEMENT.

- SPECIAL PRESENTATION/REPORTS
- BOARD APPOINTMENT
- PUBLIC HEARING ORDINANCE ON 2nd READING
- NEW BUSINESS
- OTHER
- CONSENT AGENDA
- OLD BUSINESS

Approved by Town Manager  **Date:** 11/12/14

Nadia Di Tommaso / Community Development Director 
Name/Title

Originating Department: Community Development	Costs: \$ 168.56 Funding Source: Town Clerk Acct. #106-48100 <input checked="" type="checkbox"/> Finance <u>BH2</u>	Attachments: → Ordinance 14-2014 → Copy of previously approved schedule via Ordinance 17-2013 → Legal Ad
Advertised: Date: 11-09-14 Paper: Palm Beach Post <input type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone or Not applicable in this case ND Please initial one.

Summary Explanation/Background:

FIRST READING 11/05/2014: APPROVED 5-0 with three additional projects added to the Capital Improvements Schedule:

- (1) **Coastal Link/Tri-Rail Extension Improvements** (FY 2017/18 - \$500,000 Grants/Special Assessment)
- (2) **Bert Bostrom Park Improvements** (FY 2015/16 - \$100,000 – Grants)
- (3) **Residential Street Lighting** (FY 2015/16, 16/17, 17/18, 18/19 - \$250,000 each year – Grants/Special Assessment)

Beginning in 2005, local governments were required to update their five-year Capital Improvements Schedule (CIS) as an annual amendment to the Comprehensive Plan to demonstrate a financially feasible schedule. Per House Bill (HB) 7207, the “Community Planning Act”, adopted on June 2, 2011, the five-year schedule of capital improvements is no longer required to demonstrate that the CIS is financially feasible; however, local governments must still review and update their CIS by the adoption of an ordinance. This ordinance is no longer subject to the review of the Department of Economic Opportunity (formerly the Department of Community Affairs). Such modifications to update the five-year CIS are not deemed amendments to the local Comprehensive Plan and therefore, do not need to adhere to the comprehensive plan amendment process. Due to the fact that such an update is still accomplished by the adoption of an ordinance by the Town Commission, a public hearing is required.

In accordance with the legislation enacted by the Community Planning Act, all local governments must review and update the Five-Year Capital Improvement Schedule of their Comprehensive Plan Capital Improvements Element consistent with the requirements of Section 163.3177 and Section 163.3180, Florida Statutes. The Capital Improvements Element identifies capital projects needed to maintain, or promote, Level of Service (LOS) standards. The Schedule of Capital Improvements includes Town projects which may be funded by federal, state or local money sources.

A CIS allows for:

- A systematic evaluation of all potential projects at the same time.
- The ability to stabilize debt and consolidate projects.
- A public relations and economic development tool.
- Focus on preserving a governmental entity's infrastructure while ensuring the efficient use of public funds.
- An opportunity to foster cooperation among departments and an ability to inform other units of government of the entity's priorities. For examples, a State grant looks highly on applications for projects that are included in the CIS.

Staff is proposing the following update to the CIS:

**2014/15 UPDATE TO THE TOWN OF LAKE PARK
COMPREHENSIVE PLAN CAPITAL IMPROVEMENTS ELEMENT AND
FIVE YEAR CAPITAL IMPROVEMENT SCHEDULE**

1. Amend Policy 1.11 as follows:

Policy 1.11 The following Capital Improvements Schedule, as it is annually updated in accordance with State growth management requirements, includes all projects scheduled to meet or improve the adopted Level of Service Standards during the five-year planning period, and other projects that further the implementation of this Comprehensive Plan and its goals, objectives and policies.

TOWN OF LAKE PARK FIVE YEAR CAPITAL IMPROVEMENT SCHEDULE¹
FY 2014/15 – 2018/19

Project Category	Project Name	14/15	15/16	16/17	17/18	18/19	Funding Source
4	Shuttering and hardening of all Town buildings	\$0	\$125,000	\$100,000	\$0	\$0	Grant
4	Tennis courts and lighting and Park restrooms	\$416,000	\$0	\$0	\$0		Grant (\$403,590 –FY 14/15), General Fund (\$12,410-FY 14/15)
2, 4	Lake Shore Drive Drainage Improvements	\$0	\$800,000	\$800,000	\$800,000	\$800,000	Stormwater Utility Assessment (\$75,000 each FY), Grant
4	Lake Shore Drive Promenade	\$0	\$150,000				Grant
4	New marina parking lot	\$0	\$500,000	\$500,000	\$500,000	\$500,000	Grant
2, 4	10 th Street south of Park Avenue – drainage, lighting, paving, trees	\$0	\$500,000	\$500,000	\$500,000	\$500,000	Grant, Stormwater Utility Assessment (50/50 split each FY)
2,4	Park Avenue Improvements from 7 th Street to 10 th Street through and including the FED Railroad Intersection	\$0	\$300,000/ \$25,000 for FEC	\$300,000/ \$25,000 for FEC	\$300,000/ \$25,000 for FEC	\$300,000/ \$25,000 for FEC	Grant (\$250,000 each FY), CRA Funding (\$75,000 each FY)
4	Town Hall Renovations (Floor Mirror Ballroom, Exterior Painting, Ceiling Clerk's Office, Awnings Exterior Doors, Stage Refinishing, carpeting, Window/Door repairs)	\$18,250	\$75,000	\$75,000	\$75,000	\$75,000	Grant, General Fund (\$18,250 for FY 14/15 only) (50/50 split all other FY's)

¹ Note: The Town's ability to implement certain projects in accordance with this schedule is contingent upon the receipt of grant funds as identified in the "Funding Source" column.

2	Vehicle Replacement Plan	\$0	\$119,000	\$259,000	\$259,000	\$119,000	General Fund
2	Sanitary Sewers in Tri-City Industrial Park; Lake Park Public Works; and Water Tower Road/Old Dixie Highway commercial property	\$0	\$300,000	\$300,000	\$300,000	\$300,000	Special Assessment
2	Outfall to C-17 Canal	\$100,000	\$0	\$0	\$0	\$0	Stormwater Fund
2	Coastal Link/Tri-Rail Extension Improvements	\$0	\$0	\$0	\$500,000	\$0	Grant, Special Assessment (split 50/50)
2	Bert Bostrom Park Improvements	\$0	\$100,000	\$0	\$0	\$0	Grant
2	Residential Street Lighting	\$0	\$250,000	\$250,000	\$250,000	\$250,000	Grant, Special Assessment (split 50/50)
	Total	\$534,250	\$3,244,000	\$3,109,000	\$3,509,000	\$2,869,000	

Project Category Codes

- 1 – Project necessary to achieve Level of Service
- 2 – Project will enhance ability to continue to meet Level of Service
- 3 – Project will enhance ability to meet Level of Service for Optional Element
- 4 – Project will further the achievement of Comprehensive Plan goals, objectives and policies.

TOWN OF LAKE PARK ESTIMATED FUNDING SOURCES FOR CAPITAL IMPROVEMENTS FY 2014/15-2018/19

Funding Source	14/15	15/16	16/17	17/18	18/19
General Fund	\$30,660	\$156,500	\$296,500	\$296,500	\$156,500
Stormwater Utility Assessment	\$0	\$325,000	\$325,000	\$325,000	\$325,000
Grants	\$403,590	\$2,262,500	\$1,987,500	\$2,137,500	\$1,887,500

Special Assessment	\$0	\$425,000	\$425,000	\$675,000	\$425,000
CRA Funding	\$0	\$75,000	\$75,000	\$75,000	\$75,000
Stormwater Fund	\$100,000	\$0	\$0	\$0	\$0
Total	\$534,250	\$3,244,000	\$3,109,000	\$3,509,000	\$2,869,000

Recommended Motion: I move to ADOPT Ordinance No. 14-2014 on second reading.

ORDINANCE NO. 14-2014

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, UPDATING THE CAPITAL IMPROVEMENTS ELEMENT OF ITS COMPREHENSIVE PLAN; PROVIDING FOR AN UPDATED FIVE YEAR CAPITAL IMPROVEMENTS SCHEDULE; PROVIDING FOR THE UPDATE TO THE TEXT OF THE CAPITAL IMPROVEMENTS SCHEDULE SO AS TO BE CONSISTENT WITH THE NEW SCHEDULE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature originally required local governments to annually amend their comprehensive plans to update the Capital Improvements Element, including the Five Year Schedule of Capital Improvements contained therein; and

WHEREAS, pursuant to House Bill 7207 the Florida Legislature repealed the requirement that local governments annually amend their comprehensive plans thereby removing the obligation of the state land planning agency's review of the plan amendments of local governments; and

WHEREAS, local governments are now only required to review their Capital Improvements Element and adopt any update thereto pursuant to an Ordinance which is not subject to review by the State land planning agency; and

WHEREAS, the Town staff has prepared an Ordinance which amends the Schedule in the Capital Improvements Element of its comprehensive plan, and;

WHEREAS, the Town Commission of the Town of Lake Park has held the duly required public hearings to adopt this update to its Comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AS FOLLOWS:

Section 1: The whereas clauses are incorporated herein as the Commission's legislative findings.

Section 2: Exhibit "A" which is attached hereto and incorporated herein contains the text of the 2014/15 Update to the Town of Lake Park Comprehensive Plan Capital Improvements Element's Five Year Capital Improvements Schedule.

Section 3: A copy of the current Comprehensive Plan, as amended from time to time, shall be kept on file in the Office of the Town Clerk.

Section 4: A copy of the current Comprehensive Plan, as amended from time to time shall also be maintained in the Department of Community Development.

Section 5: All Ordinances or parts of Ordinances in conflict are hereby repealed.

Section 6: Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a Court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

Section 7: The Ordinance shall become effective upon adoption.

Exhibit "A"

**2014/15 UPDATE TO THE TOWN OF LAKE PARK
COMPREHENSIVE PLAN CAPITAL IMPROVEMENTS ELEMENT AND
FIVE YEAR CAPITAL IMPROVEMENT SCHEDULE**

1. Amend Policy 1.11 as follows:

Policy 1.11 The following Capital Improvements Schedule, as it is annually updated in accordance with State growth management requirements, includes all projects scheduled to meet or improve the adopted Level of Service Standards during the five-year planning period, and other projects that further the implementation of this Comprehensive Plan and its goals, objectives and policies.

**TOWN OF LAKE PARK FIVE YEAR CAPITAL IMPROVEMENT SCHEDULE¹,
FY 2014/15 – 2018/19**

Project Category	Project Name	14/15	15/16	16/17	17/18	18/19	Funding Source
4	Shuttering and hardening of all Town buildings	\$0	\$125,000	\$100,000	\$0	\$0	Grant
4	Tennis courts and lighting and Park restrooms	\$416,000	\$0	\$0	\$0		Grant (\$403,590 – FY 14/15), General Fund (\$12,410-FY 14/15)
2, 4	Lake Shore Drive Drainage Improvements	\$0	\$800,000	\$800,000	\$800,000	\$800,000	Stormwater Utility Assessment (\$75,000 each FY), Grant
4	Lake Shore Drive Promenade	\$0	\$150,000				Grant
4	New marina parking lot	\$0	\$500,000	\$500,000	\$500,000	\$500,000	Grant
2, 4	10 th Street south of Park Avenue – drainage, lighting, paving, trees	\$0	\$500,000	\$500,000	\$500,000	\$500,000	Grant, Stormwater Utility Assessment (50/50 split each FY)
2,4	Park Avenue Improvements from 7 th Street to 10 th Street through and including the FED Railroad Intersection	\$0	\$300,000/ \$25,000 for FEC	\$300,000 / \$25,000 for FEC	\$300,000 / \$25,000 for FEC	\$300,000 / \$25,000 for FEC	Grant (\$250,000 each FY), CRA Funding (\$75,000 each FY)

¹ Note: The Town's ability to implement certain projects in accordance with this schedule is contingent upon the receipt of grant funds as identified in the "Funding Source" column.

4	Town Hall Renovations (Floor Mirror Ballroom, Exterior Painting, Ceiling Clerk's Office, Awnings Exterior Doors, Stage Refinishing, carpeting, Window/Door repairs)	\$18,250	\$75,000	\$75,000	\$75,000	\$75,000	Grant, General Fund (\$18,250 for FY 14/15 only) (50/50 split all other FY's)
2	Vehicle Replacement Plan	\$0	\$119,000	\$259,000	\$259,000	\$119,000	General Fund
2	Sanitary Sewers in Tri-City Industrial Park; Lake Park Public Works; and Water Tower Road/Old Dixie Highway commercial property	\$0	\$300,000	\$300,000	\$300,000	\$300,000	Special Assessment
2	Outfall to C-17 Canal	\$100,000	\$0	\$0	\$0	\$0	Stormwater Fund
2	Coastal Link/Tri-Rail Extension Improvements	\$0	\$0	\$0	\$500,000	\$0	Grant, Special Assessment (split 50/50)
2	Bert Bostrom Park Improvements	\$0	\$100,000	\$0	\$0	\$0	Grant
2	Residential Street Lighting	\$0	\$250,000	\$250,000	\$250,000	\$250,000	Grant, Special Assessment (split 50/50)
	Total	\$534,250	\$3,244,000	\$3,109,000	\$3,509,000	\$2,869,000	

Project Category Codes

1 – Project necessary to achieve Level of Service

2 – Project will enhance ability to continue to meet Level of Service

3 – Project will enhance ability to meet Level of Service for Optional Element

4 – Project will further the achievement of Comprehensive Plan goals, objectives and policies.

TOWN OF LAKE PARK ESTIMATED FUNDING SOURCES FOR CAPITAL IMPROVEMENTS FY 2014/15-2018/19

Funding Source	14/15	15/16	16/17	17/18	18/19
General Fund	\$30,660	\$156,500	\$296,500	\$296,500	\$156,500
Stormwater Utility Assessment	\$0	\$325,000	\$325,000	\$325,000	\$325,000
Grants	\$403,590	\$2,262,500	\$1,987,500	\$2,137,500	\$1,887,500
Special Assessment	\$0	\$425,000	\$425,000	\$675,000	\$425,000
CRA Funding	\$0	\$75,000	\$75,000	\$75,000	\$75,000
Stormwater Fund	\$100,000	\$0	\$0	\$0	\$0
Total	\$534,250	\$3,244,000	\$3,109,000	\$3,509,000	\$2,869,000

for reference only

*from
(ORD 17-2013)*

EXHIBIT "A"
**2013/14 UPDATE TO THE TOWN OF LAKE PARK
 COMPREHENSIVE PLAN CAPITAL IMPROVEMENTS ELEMENT AND
 FIVE YEAR CAPITAL IMPROVEMENT SCHEDULE**

1. Amend Policy 1.11 as follows:

Policy 1.11 The following Capital Improvements Schedule, as it is annually updated in accordance with State growth management requirements, includes all projects scheduled to meet or improve the adopted Level of Service Standards during the five-year planning period, and other projects that further implementation of this Comprehensive Plan and its goals, objectives and policies.

**TOWN OF LAKE PARK FIVE YEAR CAPITAL IMPROVEMENT SCHEDULE¹
 2014-2018**

Project Category	Project Name	11/12	12/13	13/14	14/15	15/16	16/17	17/18	Funding Source
4	Shuttering and hardening of all Town buildings	\$225,000	0	0	0 \$125,000	0 \$100,000	0	0	Grant
4	Tennis courts and ballfields resurfacing and lighting	\$100,000	0	0	0 \$50,000	0 \$100,000	0	0	Grant
2, 4	Lake Shore Drive Drainage Improvements	0	\$1,000,000 0	\$1,000,000	\$1,000,000 0 \$800,000	\$1,000,000 \$800,000	\$800,000	\$800,000	Stormwater Utility Assessment, Grant
4	Lake Shore Drive Promenade	0	0	\$1,000,000	\$1,000,000 0 150,000	0			Grant
4	New marina parking lot	\$338,000	0	0	0 \$500,000	0 \$500,000	\$500,000	\$500,000	Grant
2, 4	10 th Street south of Park Avenue – drainage, lighting, paving, trees	0	\$500,000	\$500,000	\$500,000	\$500,000	\$500,000	\$500,000	Grant, Stormwater Utility Assessment
2, 4	Ball field Expansion/Renovation	0	\$750,000	\$750,000	\$750,000	\$750,000			Grant
4	Community center/shelter	0	\$1,000,000 0	\$1,000,000	\$1,000,000 0	\$1,000,000			Grant
4	Art in Public Places	\$75,000	\$75,000	\$75,000	\$75,000	0			Grant
4	Artist live/work space	0	\$2,000,000 0	\$2,000,000	\$2,000,000 0	0			Grant

¹ Note: The Town's ability to implement the projects in accordance with this schedule is contingent upon the receipt of grant funds as identified in the "Funding Source" column.

4	Marina breakwater, bulkhead, transient slips, move fuel docks, moorings	0	\$400,000	\$400,000 \$480,000	\$200,000 \$500,000	0	0	0	Grant
2,4	Park Avenue Improvements from US-1 to 7 th Street through and including the FEC Railroad Intersection	0	\$875,000	\$875,000 \$25,000	\$875,000 \$325,000 (\$25,000 for FEC)	\$875,000 \$325,000 (\$25,000 for FEC)	\$325,000 (\$25,000 for FEC)	\$325,000 (\$25,000 for FEC)	Grant, CRA Funding
4	Town Hall Renovations (Floor Mirror Ballroom, Exterior Painting, Ceiling Clerk's Office, Awnings Exterior Doors, Stage Replacement Refinishing, Window/Door repairs)	0	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	Grant
2	Vehicle Replacement Plan	0	\$144,000	\$252,000	\$753,000 \$144,000	\$93,000 \$252,000	\$753,000	\$93,000	General Fund, Stormwater Utility Assessment, Sanitation Fund
2	Sanitary Sewers in Tri-City Industrial Park; Lake Park Public Works; and Water Tower Road/Old Dixie Highway commercial property				\$300,000	\$300,000	\$300,000	\$300,000	Special Assessment
	Total	\$738,000	\$6,810,000	\$7,927,505.00	\$8,228,346.00	\$4,293,295.00	\$3,253,000	\$2,593,000	

Project Category Codes

- 1 – Project necessary to achieve Level of Service
- 2 – Project will enhance ability to continue to meet Level of Service
- 3 – Project will enhance ability to meet Level of Service for Optional Element
- 4 – Project will further the achievement of Comprehensive Plan goals, objectives and policies.

TOWN OF LAKE PARK ESTIMATED FUNDING SOURCES FOR CAPITAL IMPROVEMENTS 20143-20168

Funding Source	11/12	12/13	13/14	14/15	15/16	16/17	17/18
General Fund	\$0	\$48,000	\$84,000	\$251,000 \$48,000	\$31,000 \$84,000	\$251,000	\$31,000
Stormwater Utility Assessment	\$0	\$405,000	\$441,000	\$608,000 \$373,000	\$388,000 \$409,000	\$576,000	\$356,000
Grants	\$738,000	\$6,318,000	\$7,318,000 \$505,000	\$7,118,000 \$2,625,000	\$3,843,000 \$2,000,000	\$1,800,000	\$1,800,000
Sanitation Fund	\$0	\$48,000	\$84,000	\$251,000 \$48,000	\$31,000 \$84,000	\$251,000	\$31,000
Special Assessment			0	\$300,000	\$300,000	\$300,000	\$300,000
CRA Funding			0	\$75,000	\$75,000	\$75,000	\$75,000
Total	\$738,000	\$6,819,000	\$7,927,505,000	\$8,2283,489,000	\$4,2932,952,000	\$3,253,000	\$2,593,000

RECEIPT

**LEGAL NOTICE OF
PROPOSED ORDINANCE
TOWN OF LAKE PARK**

Please take notice that on Wednesday, November 19, 2014 at 6:30 p.m. or soon thereafter the Town Commission, of the Town of Lake Park, Florida in a regular session to be held in the Commission Chambers, Town Hall, 535 Park Avenue, Lake Park, Florida will consider the following Ordinance on second reading and proposed adoption thereof:

ORDINANCE NO. 14-2014

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, UPDATING THE CAPITAL IMPROVEMENTS ELEMENT OF ITS COMPREHENSIVE PLAN; PROVIDING FOR AN UPDATED FIVE YEAR CAPITAL IMPROVEMENTS SCHEDULE; PROVIDING FOR THE UPDATE TO THE TEXT OF THE CAPITAL IMPROVEMENTS SCHEDULE SO AS TO BE CONSISTENT WITH THE NEW SCHEDULE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

If a person decides to appeal any decision made by the Town Commission with respect to any hearing, they will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. For additional information, please contact Vivian Mendez, Town Clerk at 561-881-3311.

Vivian Mendez, CMC, Town Clerk
Town of Lake Park, Florida
PUB: The Palm Beach Post
11-9/2014 #329078

New Business

TAB 6



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: 11/19/2014

Agenda Item No. 6

Agenda Title: FISCAL YEAR 2013/2014 PRE-AUDIT BUDGET ADJUSTMENTS

- SPECIAL PRESENTATION/REPORTS
- BOARD APPOINTMENT
- PUBLIC HEARING ORDINANCE ON _____ READING
- NEW BUSINESS
- OTHER: _____

Approved by Town Manager

Date:

11/3/14

Blake K. Rane *BKR* Finance Director
Name/Title

Originating Department: FINANCE	Costs: See attachment "A" Funding Source: Acct. # <input checked="" type="checkbox"/> Finance ___ BKR ___	Attachments: Resolution, Pre-audit Budget Narrative, and Attachment A
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case _BKR_ Please initial one.

Summary Explanation/Background:

At the end of each fiscal year, the Town Finance Director analyzes the balances of the General Fund (GF) revenue accounts and each of the GF department's accounts, prior to the audit, to determine where adjustments need to be made. This review has been conducted and attached is a schedule (Attachment "A") that lists the items that need to be adjusted for the Town of Lake Park 2013/14 budget. Against a GF budget of \$8.35 million, this final adjustment is for \$97,890, a difference of just 1.17%.

Recommended Motion:

I move to adopt Resolution 42-11-14.

RESOLUTION NO. 42-11-14

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE TOWN BUDGET FOR FISCAL YEAR 2013-2014 AS PREVIOUSLY ADOPTED BY RESOLUTION NO. 33-09-13; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

WHEREAS, the Town Commission has previously established the budget for the Town of Lake Park for the fiscal year beginning October 1, 2013 and ending September 30, 2014; and

WHEREAS, at the time of its adoption, the budget properly reflected expected revenues and appropriations; and

WHEREAS, to implement this budget, the Town Commission adopted and levied by Resolution No. 33-09-13 a final millage rate for the Fiscal Year 2013-2014; and

WHEREAS, the Town Commission deems it necessary and advisable to amend the budget for the Town of Lake Park for Fiscal Year 2013-2014, which was adopted by Resolution No. 33-09-13.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK FLORIDA:

Section 1. The whereas clauses are true and correct and are supported herein.

Section 2. An amended final budget of the Town of Lake Park General Fund is hereby approved and adopted as set forth in the attached Mid-Year Budget Adjustment Itemization (Attachment "A").

Section 3. The Town Manager is hereby authorized to amend/transfer between departmental accounts provided, however, that total appropriated expenditures by fund do not exceed Commission authorized amounts.

Section 4. If any section, subsection, sentence, clause, phase or portion of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 5. This resolution shall take effect immediately upon adoption.

Pre-audit Budget Narrative

The pre-audit Budget adjustment is intended to keep the Commission informed of any significant changes that have occurred in the general fund in the 2013/2014 fiscal year. The Finance Department has analyzed the revenue and each department of the general fund. We propose only to adjust those items that are material, material being an accounting term meaning that the change proposed may be relevant to the reader of the financial statements in their analysis of the Town's financial performance. The Finance Director and the Town Manager have met and reviewed the findings of this process.

We are happy to report that there are limited adjustments that need to be made to the fiscal year 2013-14 Budget. The adjustments typically consist of our estimates made over a year ago needing to be adjusted up or down to align with the actual transactions that have occurred over the course of the year. The adjustments are listed in detail on Attachment "A".

Pre-audit Budget Adjustment

November 19, 2014

ATTACHMENT "A"

General Fund

		Proposed Change	Totals
Revenue			
Total General Fund Budgeted Revenue			\$ 8,349,493
Ad Valorem Taxes	311.100	\$ 11,000	
Delinquent Taxes	311.120	\$ (28,000)	
Cost Recovery	322.900	\$ 25,000	
Recreation Tennis Program	347.220	\$ (10,000)	
Fines - Code Violations	354.100	\$ 10,000	
Interest Earnings	361.100	\$ (13,000)	
Rent - Cell Tower (Bell South)	362.121	\$ (10,000)	
Rent - Cell Tower (Metro PCS)	362.122	\$ (8,000)	
Reimbursement - PBSO Fuel	369.320	\$ 8,000	
Balance Brought Forward	001-38-000-9000	\$ (82,890)	
Total Revenue Changes		\$ (97,890)	(97,890)
Proposed Budget			\$ 8,251,603
Expenses			
Total General Fund Budgeted Expense			\$ 8,349,493
Contractual Services - Cost Recovery	500-34200	\$ 25,000	
Contingency	900-99901	\$ (25,000)	
Transfer to Fund Balance	900-99907	\$ (97,890)	
Total of Expense Changes		\$ (97,890)	(97,890)
Proposed Budget			\$ 8,251,603

TAB 7



**Town of Lake Park Town Commission
Agenda Request Form**

Meeting Date: November 19, 2014

Agenda Item No. 7

Agenda Title: Authorizing the Town Manager to Issue a Purchase Order for Paul Fleming to Serve as Interim Marina Director During the Months of December 2014 and January 2015.

- SPECIAL PRESENTATION/REPORTS CONSENT AGENDA
- BOARD APPOINTMENT OLD BUSINESS
- PUBLIC HEARING ORDINANCE ON _____ READING
- NEW BUSINESS**
- OTHER: _____

Approved by Town Manager *DSS* Date: 10/24/14

Dale S. Sugerman, Ph.D./Town Manager
Name/Title

Originating Department: <p style="text-align: center;">Town Manager</p>	Costs: \$8,750.00 Funding Source: Marina Acct. 800-31000 <input checked="" type="checkbox"/> Finance <u><i>DSS</i></u>	Attachments: First Purchase Order for Months of September and October
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case <u><i>DSS</i></u> Please initial one.

Summary Explanation/Background:

With the short notice resignation of Jamie Hart as Marina Director (he provided a two week notice) it was important to hire an Interim Marina Director while the search for a permanent replacement got underway. Paul Fleming was hired just prior to Mr. Hart's departure via a purchase order authorized by the Town Manager (copy attached). Mr. Fleming's rate is \$35.00 per hour and he is working approximately 25 hours per week. The Town Manager's spending authority of \$10,000.00 limited the number of hours that Mr. Fleming could be engaged to a total of 285 hours, which will carry his interim services through the end of November. His continued services are needed for an additional 60 days.

This agenda item is for the Town Commission to authorize an additional 250 hours of interim services which will carry us through the month of January 2015. It is anticipated that the new full-time permanent Marina Director will be on board by that date. Mr. Fleming is not a candidate for the full-time permanent position. Funds to support this purchase order are coming from the regular salary line item of the Marina budget since a salary is no longer being paid to Mr. Hart.

Recommended Motion: I move to authorize the Town Manager to sign a purchase order authorizing the purchase of Interim Marina Director services with Mr. Paul Fleming for 250 hours at a rate of \$35.00 per hour.



LAKE PARK TOWN HALL

NATIONAL HISTORIC SITE

THE TOWN OF LAKE PARK

535 PARK AVENUE
 LAKE PARK, FLORIDA 33403
 (561) 881-3350 FAX (561) 881-3358

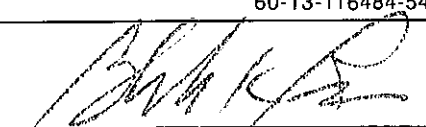
TO: 48337
 PAUL FLEMING
 629 KINGFISH ROAD
 NORTH PALM BEACH, FL 33409

PURCHASE ORDER	
PURCHASE ORDER NUMBER	55442
DATE	08/27/14
DEPT. CODE	
REQUISITION NUMBER	
OUR PURCHASE ORDER NUMBER MUST APPEAR ON ALL INVOICES, PACKING LIST, AND CORRESPONDENCE.	

SEND INVOICE TO	DELIVER ITEMS TO	DELIVERY DATE
TOWN OF LAKE PARK DIRECTOR OF FINANCE 535 PARK AVENUE LAKE PARK, FL 33403	ADMINISTRATION 535 PARK AVENUE LAKE PARK FL 33403	08/27/14
SPECIAL INSTRUCTIONS		TERMS
INTERIM MARINA DIRECTOR SERVICES		NET

THIS IS...
 AN ORDER
 A CONFIRMATION

UNIT DESCRIPTION	ACCOUNT NUMBER	QUANTITY	UNIT PRICE	AMOUNT
INTERIM MARINA DIRECTOR SRVS	800-31000	285.00	35.00	9,975.00
TOTAL →				9,975.00

FLORIDA STATE SALES TAX EXEMPTION CERTIFICATE NO. 60-13-116484-54C	FEDERAL TAX EXEMPTION CERTIFICATE NO. 59-6000355
 APPROVED DIRECTOR of FINANCE	PURCHASE ORDER NUMBER MUST APPEAR ON ALL INVOICES, PACKAGES, AND SHIPPING DOCUMENTS. DELIVERIES WILL BE ACCEPTED MONDAY THRU FRIDAY 8:30 AM - 4:00 PM

TAB 8



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: November 19, 2014

Agenda Item No. 8

Agenda Title: Commission Discussion on the Subject of Endorsing a Resolution of Support for the Palm Beach County League of Cities' Desire to Have Palm Beach County Remain in the Treasure Coast Regional Planning Commission.

- SPECIAL PRESENTATION/REPORTS
 - BOARD APPOINTMENT
 - PUBLIC HEARING ORDINANCE ON _____ READING
 - NEW BUSINESS**
 - OTHER: _____
- CONSENT AGENDA
 - OLD BUSINESS

Approved by Town Manager *DSS* **Date:** 10/27/14

Dale S. Sugeraman, Ph.D./Town Manager
Name/Title

Originating Department: <p style="text-align: center;">Town Manager</p>	Costs: None Funding Source: Acct. <input type="checkbox"/> Finance _____	Attachments: 1) E-mail Message from Richard Radcliffe 2) Model Resolution of Support
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case <u>DSS</u> Please initial one.

Summary Explanation/Background:

The Board of Directors of the Palm Beach County League of Cities has adopted a resolution strongly objecting to recent actions taken by the Palm Beach County Board of County Commissioners from withdrawing Palm Beach County from the Treasure Coast Regional Planning Council and requesting membership in the South Florida Regional Planning Council instead. The Board of the League has asked each municipality to adopt a similar resolution. Direction from the Town Commission is respectfully requested on this issue. If it is the Commission's desire to adopt a similar resolution, such resolution will be

crafted for the meeting of December 3rd. If there is no desire to adopt a similar resolution, then no further action would be necessary.

Recommended Motion: This item has been presented as a discussion item only. If it is the Commission's desire to have a resolution objecting to the Board of County Commissioner's decision, then a motion, second, discussion, and a vote would be in order.

Dale Sugerman

From: Richard Radcliffe C. [RRadcliffe@pbcgov.org]
Sent: Friday, October 24, 2014 12:55 PM
To: Jeriise Hansen
Subject: IMPORTANT Resolution Request
Attachments: Res 2014-02-Treasure Coast Regional Planning-Board Support.pdf

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Managers,

On October 7th, on a four to three vote, the Palm Beach County Board of County Commissioners (BOCC) directed staff to research the steps necessary to move Palm Beach County (County) to the South Florida Regional Planning Council (SFRPC) and to delete the County's membership in the Treasure Coast Regional Planning Council (TCRPC). By way of background information, the BOCC voted to have the County made a part of the TCRPC in 1976, over thirty-five years ago. This was a move away from the SFRPC at that time. Now, apparently the BOCC is considering a move to go back to SFRPC.

On October 22, after much discussion, the Palm Beach County League of Cities Board of Directors (the League Board) approved the attached resolution requesting the BOCC to make sure the County remains with the TCRPC. The resolution attached sets forth the reasons for the action taken by the League Board.

We are asking that every municipality pass a resolution similar to the one attached in support of the League Board's position. We are also asking that you reach out to your County Commissioner personally, especially if they were on the prevailing side (Vana, Taylor, Abrams, or Berger) and ask them to reconsider and reverse their decision.

Please thank the Commissioners that supported our position (Burdick, Valeche, and Santamaria) and ask them to remain vigilant since this is such an important issue to the municipalities and all of Palm Beach County.

Mike Busha, the League Board staff, and I will make ourselves available to assist with meetings and information. You may want have your planning staff meet with you and your Commissioner so they understand the ramifications of their actions and the commitment of every municipality. Please send the League copies of adopted resolutions and your correspondence.

Thank you for your support.

Richard

Richard C. Radcliffe
Executive Director
rradcliffe@pbcgov.org
The Palm Beach County League of Cities, Inc.
P.O. Box 1989, Governmental Center
West Palm Beach, Florida 33402
Tel. 561-355-4484; Fax 355-6545
www.leagueofcities.org

RESOLUTION NO. 2014-02

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE PALM BEACH COUNTY LEAGUE OF CITIES, INC. STRONGLY OBJECTING TO RECENT ACTION TAKEN BY THE PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS TO WITHDRAW PALM BEACH COUNTY FROM THE TREASURE COAST REGIONAL PLANNING COUNCIL AND TO REQUEST MEMBERSHIP IN THE SOUTH FLORIDA REGIONAL PLANNING COUNCIL INSTEAD; AND STRONGLY SUPPORTING THE COUNTY'S CONTIUNED MEMBERSHIP IN THE TREASURE COAST REGIONAL PLANNING COUNCIL; PROVIDING FOR DISTRIBUTION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Palm Beach County Board of County Commissioners ("BOCC") recently took action by means of a 4-3 vote on October 7, 2014 authorizing its staff to research all necessary steps to withdraw Palm Beach County (the "County") from the Treasure Coast Regional Planning Council ("TCRPC") and to request membership in the South Florida Regional Planning Council ("SFRPC") in spite of opposition expressed at the meeting by municipal representatives and others; and

WHEREAS, the County has been a member of the TCRPC for more than thirty-five (35) years, since 1976; and

WHEREAS, during that lengthy tenure, the staff at the TCRPC has become acutely aware of the issues and concerns of the County as well as of the thirty-eight (38) Municipalities located therein as they relate to the growth management, transportation demands, water concerns and general land use planning; and

WHEREAS, there is little, if any, evidence that the SFRPC has the same depth of understanding of the issues that the County and its municipalities are facing; and

WHEREAS, the strategic policies found in the TCRPC Regional Policy Plan differ greatly from those found in the SFRPC Regional Policy Plan; and

WHEREAS, the County and the municipalities have incorporated many of the TCRPC policies into their comprehensive plans which guide their growth patterns; and which would require revision if the change to the SFRPC is achieved; and

WHEREAS, many municipalities located in Palm Beach County are involved in long term planning activities with the TCRPC which would be rendered meaningless if this change were to occur; and

WHEREAS, the minimal reasons supporting change found in the back-up documentation for the agenda item and the discussions at the October 7, 2014 meeting centered around saving money in the form of reduced membership fees to be paid to the SFRPC as opposed to the TCRPC; and the diverse interests of the counties comprising the TCRPC; and

WHEREAS, since County ad valorem tax dollars are used to pay for the membership in the TCRPC and are derived from all those persons and entities owning property in the County, each property owner is paying for this membership and deserves a voice in this abrupt move taken by the County with very little, if any, sound reasoning as to why such a move would benefit all local governments located in the County; and

WHEREAS, long term relationships forged through more than thirty-five (35) years of working with the TCRPC and the in-depth understanding the TCRPC staff has of the County's and the thirty-eight (38) municipalities' land use issues should not be discarded without substantial and powerful reasons, which have not been clearly articulated by the members of the BOCC, to date.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE PALM BEACH COUNTY LEAGUE OF CITIES, INC., THAT:


SECTION 1: the Board of Directors of the Palm Beach County League of Cities, Inc. strongly objects to recent action taken by the Palm Beach County Board of County Commissioners to withdraw Palm Beach County from the Treasure Coast Regional Planning Council and to request membership in the South Florida Regional Planning Council; and strongly supports the County's continued membership in the TCRPC; providing for distribution; providing an effective date; and for other purposes.

SECTION 2: The Board hereby requests that this resolution be sent directly to the Palm Beach County Board of County Commissioners, the Treasure Coast Regional Planning Council and all municipalities in Palm Beach County.

SECTION 3: This Resolution shall take effect immediately upon execution by the League President as authorized by the Board of Directors of the Palm Beach County League of Cities, Inc. at their October 22, 2014 meeting.

PASSED AND ADOPTED this 22nd day of October, 2014.

BOARD OF DIRECTORS OF
THE PALM BEACH COUNTY LEAGUE OF
CITIES, INC.


Steve B. Wilson, President

(SEAL)

ATTEST:


Mo Thornton, Secretary/Treasurer